



## OVERVIEW AND SCRUTINY COMMITTEE

Thursday 7 October 2010 at 6.30 pm

Member's Lounge - Ryedale House, Malton, North Yorkshire YO17 7HH

### Agenda

**1 Emergency Evacuation Procedure.**

The Chairman to inform Members of the Public of the emergency evacuation procedure.

**2 Apologies for absence**

**3 Minutes of the meeting held on the 19 August 2010**

(Pages 1 - 8)

**4 Urgent Business**

To receive notice of any urgent business which the Chairman considers should be dealt with at the meeting as a matter of urgency by virtue of Section 100B(4)(b) of the Local Government Act 1972.

**5 Declarations of Interest**

Members to indicate whether they will be declaring any interests under the Code of Conduct.

Members making a declaration of interest at a meeting of a Committee or Council are required to disclose the existence and nature of that interest. This requirement is not discharged by merely declaring a personal interest without further explanation.

**6 External Auditors Report to Members on the 2010 Audit**

(Pages 9 - 30)

**7 Town Hall Roof Repairs Update**

(Pages 31 - 34)

- 8 **Service Risk Register for Organisational Development** (Pages 35 - 44)
- 9 **Half Yearly Risk Management Actions Monitoring Report** (Pages 45 - 62)
- 10 **Annual Governance Statement Action Plan** (Pages 63 - 70)
- 11 **Crime and Disorder Future Arrangements** (Pages 71 - 86)
- 12 **Annual Report**  
It is recommended that Members receive the Annual Report and note the achievements against the priorities of the Council Plan for 2009/10.
- 13 **Decisions from other Committees** (Pages 87 - 88)  
Commissioning Board held on 23 September 2010  
Policy & Resources held on 30 September 2010 (to follow)
- 14 **Any other business that the Chairman decides is urgent.**

## **Overview and Scrutiny Committee**

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Held at Council Chamber, Ryedale House, Malton  
on Thursday 19 August 2010

### **Present**

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Councillors Andrews, Clark, Raper, Mrs Shields (Chairman) and Windress

### **In Attendance**

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Audrey Adnitt, Paul Cresswell, Phil Long, Louise Sandall and Clare Slater

### **Minutes**

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#### **22 Apologies for absence**

Apologies were received from Councillors Cottam, Cussons, Maud and Mrs Wilford.

#### **23 Minutes of the meeting of 8 July 2010**

The minutes of the meeting of the Overview & Scrutiny Committee held on the 8 July 2010 were presented.

#### **Resolved**

That the minutes of the meeting of the Overview & Scrutiny Committee held on the 8 July 2010 be accepted as a correct record.

Councillor Mrs Shields made reference to recent attendance at both the police authority training session, and the presentation on Attendance Management from Selby District Council, and Members were reminded to send their apologies if they were not able to attend future meetings.

#### **24 Urgent Business**

The Chairman reported that there was one item of urgent business to be dealt with at the meeting as a matter of urgency by virtue of Section 100 (B)(4)(b).

#### **25 Declarations of Interest**

No declarations of interest were received.

#### **26 Ombudsman Annual Report**

The Council Solicitor submitted a report (previously circulated) in order to provide information about the complaints made against Ryedale District Council which were dealt with by the Local Government Ombudsman in 2009/10. In addition, information was provided on the reflections of the Local

Government Ombudsman (LGO) in her Annual Review of the complaints received.

The Ombudsman received a total of 6 enquires and complaints about the Council during 2009/10. In two cases simple advice was given to the complainant. Four complaints were sent to the Ombudsman for consideration, three of which were to do with planning matters. This was a considerable drop compared to last year and continued the downward trend in complaints forwarded to the Ombudsman.

Of those complaints determined by the Ombudsman, one was closed on the basis that it was not within the Ombudsman's jurisdiction. In the other case the Ombudsman found no evidence of maladministration by the Council sufficient to justify her continued involvement.

No public reports were issued against the Council during the year, and the Ombudsman had made no formal enquires of the Council during the year.

The Annual Review was a useful addition to other information held by the Council, and highlighted how people experience and perceive its services.

### **Resolved**

That the report be noted.

## **27 Service Risk Register - Environment**

The Head of Environment submitted a report (previously circulated) in order to present the Service Risk Register for those services under the Head of Environment.

Service Risk Registers (SRR) were originally established from work undertaken by the Audit Partnership in conjunction with Service Unit Managers, however, since the management restructure the number of registers had been reduced and were now the responsibility of Heads of Service and their managers. These registers had not yet been subject to Member review.

Annex A outlined the SRR for the Head of Environment, and was presented to the Committee in order to highlight changes to risks and work undertaken to mitigate those risks.

Councillor Andrews referred to Capital Projects within the risk register, and requested an update regarding the ongoing works at Malton Town Hall. A discussion followed and members were of the opinion that a report outlining the history of the project and progress to date would be useful.

The Committee thanked the Head of Environment for the report.

## **Resolved**

- That the report be received.
- That a report on the Malton Town Hall project be brought to the next meeting.

## **28 Sickness Absence Review - Concluding report**

The Head of Organisational Development submitted a report (previously circulated) in order to update Members on the review undertaken by the Overview & Scrutiny Committee on Sickness Absence.

Members were reminded that at the Overview & Scrutiny Committee meeting held on the 9 April 2009 it was agreed to review sickness absence within Ryedale District Council as a result of the sickness absence levels remaining substantially higher than the national average and in comparison to local authority neighbours.

The Committee had approached the review by:

- Reviewing the Sickness Absence Policy
- Receiving a presentation from North Yorkshire County Council
- Reviewing the management information statistics
- Inviting Unison to a task group meeting
- Receiving a presentation from Selby District Council

Following this work and in conclusion, a number of new initiatives and improvements in the monitoring of sickness absence within Ryedale District Council had been identified.

The key findings were as follows:

1. That the procedures should be expanded on to ensure they are user friendly and meaningful.
2. The policy & procedures should be adopted consistently across the authority.
3. The trigger points within the policy should remain as they are.
4. Sickness monitoring should always include positive reporting.
5. The formation of a Health & Well Being group.
6. Ryedale should explore ways of celebrating those staff and departments who have no sickness absence in the year.
7. Regular training should be given to staff.
8. Induction programme to be extended to cover the Absence management policy and procedures.
9. A review should take place on flexi time and annual leave.
10. Currently sickness absence should not have a direct link to pay progression.

The reviews success was in part evidenced by the 2009/10 sickness absence figure of 8.89 days per employee. This was the lowest figure that the authority had attained since 2005/06.

Following the presentation from Selby District Council a comparison document had been produced (% of Number of Days Absence per department in Selby & Ryedale District Councils) and this was distributed at the meeting. Councillor Clark referred to the figure for Streetscene Services, and requested that a revised comparison be produced that including staffing numbers, in order to make the figures more meaningful.

In addition Councillor Clark referred to the number 3, of the key findings "Trigger Points". These were to remain the same, but Councillor Clark's recollection from the task group meeting with Unison, was that Unison had requested these be amended, and so he sought further clarification on this point.

The Committee wished to thank Unison, North Yorkshire County Council, and Selby District Council for their participation in the review.

### **Resolved**

- a. That the report be received, subject to confirmation from Unison of their acceptance that the 'Trigger Points' are to remain unchanged.
- b. That the % of Number of Days Absence Ryedale & Selby District Council 2009/10, comparison be amended to included the numbers of staff in each department.

## **29 Future Reviews Scoping Report**

The Head of Transformation submitted a report (previously circulated) in order to present Members of the committee with a set of terms of reference for each of the two scrutiny review topics agreed by the Committee.

At the previous meeting, it had been agreed to take two topics forward for review by the Committee.

- **Healthy Weight** – Issues relating to achieving a healthy weight presented a key challenge in Ryedale in relation to health inequality. It was intended that the scrutiny review would feed into the development of the Healthy Weight Strategy being developed by the Ryedale Strategic Partnership. There was also the potential for the review to influence the work of the Active & Environment Joint Commissioning Group on sport & leisure. The review will address all age obesity.

- Impact of Post Office Closures – This review on the impact of post office closures on communities of Ryedale would feed into any future consultations on changes to post office services or potential closures. It would also link to the work the Council undertakes in improving financial inclusion, supporting local community facilities and improving access to services and efficiency of delivery, thereby potentially mitigating the risk of loss of services through future post office closures.

The table at annex A presented the draft terms of reference for each review and covered the following areas:

- Aim of the review
- Why has this review been selected?
- Who will undertake the review?
- How will the review be undertaken?
- What are the expected outputs?
- Timescale

Council Andrews referred to the current issue regarding the future of Malton Hospital, which was causing much concern locally, and suggested that it may be appropriate for the committee to consider carrying out a scrutiny review on the topic. A detailed discussion and vote followed, and Members were of the opinion that it would be more appropriate to bring a motion to Council regarding the concerns about the hospital.

### **Resolved**

- a. That the terms of reference for each of the reviews were agreed.
- b. That Councillors Raper and Mrs Shields become members of the task group for the Healthy Weight Review. That Councillors Mrs Shields, Andrews and Windress become members of the task group for the Post Office Closures review. Councillor Clark advised that he would become a member of either of the review task groups. It was agreed that Mrs Slater would contact the remaining Members of the Overview and Scrutiny Committee and see which review task group they would like to join.

## **30 Customer Complaints Monitoring**

The Customer Services and Benefits Manager submitted a report (previously circulated) in order to inform Members of the number and type of complaints received under the Council's complaint procedure for the period April – June 2010.

The report included complaints monitored under individual service complaints systems and a summary of customer feedback to Community Leisure Ltd

(CLL) for the period April – June 2010 together with action taken where appropriate.

**Resolved**

That the report be noted.

**31 Treasury Management Annual Report 2009/10**

The Corporate Director (s151) submitted a report (previously circulated) in order to report on treasury management activities for the financial year 2009/10 in accordance with the Chartered Institute of Public Finance and Accountancy's (CIPFA) Code of Practice on Treasury Management (the code).

The CIPFA Code of Practice on Treasury Management 2009 had been adopted by the Council on the 22 February 2010, and the Council fully complied with its requirements.

The report gave an update and further details on the following areas of treasury management

- Treasury Position as at 31 March 2010
- Strategy for 2009/10
- The Economy and Interest Rates in 2009/10
- Compliance with Treasury Limits
- Investment Rates in 2009/10
- Investment Outturn for 2009/10

**Resolved**

1. That the report be received
2. The performance of the in-house and externally managed funds in 2009/10 be noted.

**32 Any other business that the Chairman decides is urgent.**

The Chair provided an update following the recent police authority training and the next steps for the committee, in relation to the new scrutiny of crime and disorder duties.

The Head of Transformation had produced a "Next Steps" document following the training which was circulated. During the training it was suggested that the committee discuss the requirement to co-opt a member of the Police Authority onto the Ryedale Crime and Disorder Committee, and the guidance suggested that appointing a non voting expert advisor to attend the committee only when Police or Crime and Disorder matter were being discussed, would be the most



appropriate course of action. Although if the Council's constitution were amended it may be possible to give that expert voting rights.

Members thanked the Head of Transformation for the feedback, and a discussion followed.

**Resolved**

That a detailed report on the scrutiny of Crime and Disorder duties and new responsibilities of the committee be brought to the next meeting, in order to make a decision.

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**Ryedale District Council**

**Report to the Members on  
the 2010 Audit**

**Final Report**

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# Key findings

We have pleasure in setting out in this document details of our audit of Ryedale District Council (the Authority) for the year ending 31 March 2010. The report summarises the main findings from the 2009/10 audit. The majority of the audit work was undertaken in July and August and is almost complete. The working papers were of a good standard and we would like to thank all those officers involved.

On 13 August 2010, the Secretary of State for Communities and Local Government announced the proposed abolition of the Audit Commission. The proposed abolition will be from March 2012 and the Audit Commission has confirmed that there is no immediate change to your audit arrangements. New audit arrangements are likely to apply from the start of the 2012/13 financial year. Both we and the Audit Commission will keep you informed of further developments.

This summary is not intended to be exhaustive but highlights the most significant matters to which we would like to bring your attention. It should, therefore, be read in conjunction with the report and the appendices thereto.

Description	Detail
<p><b>Key findings on audit risks and other matters</b></p>	<p>Our audit plan set out the specific risks that our audit would address. The key findings regarding these risks are summarised below:</p> <ul style="list-style-type: none"> <li>• revenue recognition: An error was indentified of £45,560 in the recognition of car park income. Further details are provided in Appendix 1;</li> <li>• valuation of fixed assets: a number of assets were found to be depreciated over useful economic lives that deviated from those specified in the Independent Valuers' report. Further discussion with the valuer noted that the useful economic life included in his report were minimum values and therefore the asset lives in use by the Authority are considered to be appropriate;</li> <li>• valuation of investments: all investments were found to be appropriately valued;</li> <li>• debtors and bad debts: a review of the valuation of the bad debt provision was performed and a net upwards adjustment of £16,783 was noted in relation to the Housing Benefit debtor and Court Cost debtor provision. Details of this adjustment are included in Appendix 1;</li> <li>• accounting for partnerships' shares of asset and liability balances: no adjustments were noted as a result of our testing;</li> <li>• pension assumptions: we have reviewed the assumptions made by the actuary in valuing the Authority's share of the assets and liabilities of the pension fund. We consider that the rate is not unreasonable, however it is at the lower end of an acceptable range at 31 March 2010; and</li> <li>• changes to accounting framework and standards: on review of the financial statements it was found that a change in the Code of Practice on Local Authority Accounting in the United Kingdom in 2009: A Statement of Recommended Practice (SORP) relating to the remuneration of senior officers (CIPFA LAAP Bulletin 85) and changes regarding the presentation of the Collection Fund had been introduced correctly.</li> </ul>

# Key findings (continued)

Description	Detail
<p><b>Audit status</b></p>	<p>We are satisfied that the status of the audit is as expected at this stage of the timetable agreed in our audit plan.</p> <p>Details of other matters outstanding are summarised below:</p> <ul style="list-style-type: none"> <li>• completion of internal review procedures;</li> <li>• receipt of signed letter of representation;</li> <li>• updated subsequent events review; and</li> <li>• whole of government accounts</li> </ul> <p>We will report to you orally in respect of any modifications to the findings or opinions contained in this report that arise on completion of these matters. On satisfactory completion of the outstanding matters, we anticipate issuing an unmodified audit opinion on the truth and fairness of the financial statements.</p>
<p><b>Identified misstatements</b></p>	<p>Audit materiality is calculated as £386,813. The threshold for reporting misstatements is £7,736.</p> <p>There are four uncorrected misstatements above our threshold, which if adjusted would increase net expenditure by £62,560. Details of the adjustment proposed are provided in Appendix 1.</p>
<p><b>Accounting policies and financial reporting</b></p>	<p>As part of our audit, we consider the quality and acceptability of the Authority's accounting policies and financial reporting.</p> <p>From 2010/11, local authorities' Statements of Accounts will be prepared under an International Financial Reporting Standards ("IFRS") -based Code of Practice on Local Authority Accounting. The Council's readiness for IFRS conversion has been assessed as being broadly in line with expectations, but requires further work to be completed to ensure full compliance with the transition requirements.</p> <p>No other significant issues were noted.</p>
<p><b>Accounting and internal control systems</b></p>	<p>The following recommendations were identified:</p> <ul style="list-style-type: none"> <li>• authorisation of journals;</li> <li>• supplier statement reconciliations to be performed for major suppliers on a regular basis;</li> <li>• segregation of duties; and</li> <li>• payment account data security (PCI DSS) compliance.</li> </ul>

# Key findings (continued)

Description	Detail
<b>Financial Standing</b>	<p>We have considered the financial standing of the Authority for 2009/10. We have considered this based on current/ongoing expenditure demands, expected grant income and the current cash position of the authority. It is understood that public sector funding cuts may cause a reduction in grant income received in the future. The Authority has drawn up plans on how to deal with differing levels of grant reduction.</p>

# 1. Key audit risks

The results of our audit work on the key audit risks identified in our Audit plan are set out below:

## Risk of revenue recognition

<b>Background</b>	<p>International Auditing Standards (UK and Ireland) 240 – “The auditor’s responsibility to consider fraud in an audit in the financial statements” requires the auditors to perform certain audit procedures related specifically to fraud risk, and requires a presumption that revenue recognition is a risk.</p> <p>For Ryedale District Council we consider that the specific revenue recognition risk relates to the non-recognition of cash receipts of income or their recognition in the wrong accounting period (e.g. cut-off of car park permit income).</p>
<b>Deloitte response</b>	<p>We have tested a sample of income receipts around the year end, and noted that car park permit income is recognised immediately on the day of receipt, rather than being deferred over the term of the permit. An adjustment of £45,560 has been proposed by Deloitte to defer an estimate for the post year-end element of income recognised into 2010/2011. We note that there will be a similar error in the prior year. See Appendix 1.</p>

## Valuation of fixed assets

<b>Background</b>	<p>In the current climate the property market is very volatile and there is the potential for valuations of property and other assets to have fallen since the prior year-end.</p> <p>We obtained a copy of the third party valuation report and reviewed a sample of the valuations for arithmetic accuracy. We have considered whether there is indication of any impairment from the third party valuations and if the noted impairments should be applied more widely to other assets that have not been valued in the current year.</p>
<b>Deloitte response</b>	<p>It was noted that upward revaluations of £3.5m took place in the year. The increase in value in the year relates to general increase in these types of assets since these individual assets were last revalued. The results of our testing showed that a number of assets were not being depreciated over the useful economic life per the Valuers’ report, however the Independent Valuer confirmed that the useful economic lives per his report were minimum values, and the deviations were acceptable.</p>

## Valuation of current asset investments

<b>Background</b>	<p>Presumed to be a risk due to the general uncertainty in the financial services sector and following the events in Iceland during 2008 and the impact this had on some local authorities.</p>
<b>Deloitte response</b>	<p>We have obtained external confirmations in respect of all current assets investments held by the Authority at the year end and no issues were identified from this testing. We note that all investments are held within UK. There are no matters to bring to your attention from our testing.</p>



# 1. Key audit risks (continued)

## Level of bad debt provision on Council Tax and National Non-Domestic Rates (NNDR) debtors

### Background

In the current climate there is likely to be more pressure on the Council's rate-payers' financial resources. It therefore follows that there is likely to be a higher level of unpaid debts at the balance sheet date and potentially more bad and/or doubtful debts occurring.

We have documented the process the Council has in place for reviewing and providing against bad and doubtful debts owed to the Council at the balance sheet date. We have reviewed the calculation of the year-end provision and considered the adequacy of the provision in the light of available evidence. This included the ageing profile of debtors at the year-end and at the time of audit, the history of bad debt exposure, recent changes in payment profile and post year-end cash receipts against year-end debtor balances.

The provision for bad sundry debts as at 31 March 2010 was £278,000 (2009 restated: £264,000), which represents a significant judgement by the management of the Authority.

### Deloitte response

We obtained a detailed calculation of all elements of the bad debt provisions:

- the provision was reviewed and compared to the historical calculation of the bad debt provision;
- the provisioning policy was considered in light of the history of bad debt exposure and recent changes in payment profile;
- the calculation was reperformed to ensure the accuracy of the calculation; and
- the ageing of the debtor balance was assessed to confirm the accuracy.

Two adjustments have been proposed in Appendix 1. This first proposed adjustment is to reduce housing benefit bad debt by £17,000. The second proposed adjustment is to increase the court cost bad debt provision by £33,783.

## Accounting for partnerships shares of assets and liabilities

### Background

The Council now utilises a number of partnerships (for example Building Control Partnership) for the provision of services to residents and businesses. A risk exists regarding the completeness of such information given the operations of the partnership is outside of the Council's direct control.

We have reviewed management's process to ensure that they obtain all information regarding partnership assets and liabilities in a prompt manner and reflect them appropriately in the financial statements.

### Deloitte response

We have reviewed management's process to ensure that they obtain all information regarding partnership assets and liabilities from partnerships in a prompt manner. We have reviewed the accounting entries made by the Authority to record their share of partnership assets and liabilities. There are no adjustments to bring to your attention as a result of our testing.

# 1. Key audit risks (continued)

## Pension assumptions

### Background

In the current climate the choice of pension inflation, discount and yield assumptions will be both difficult and judgemental. Small and apparently insignificant changes to these key assumptions can have material consequences for the actuarial assessment of the liability included within the financial statements of the Council.

We have documented the process the Authority has put in place to review the assumptions and have used our in house pension and actuarial department to review these assumptions for reasonableness based upon prevailing market factors as at 31 March 2010.

### Deloitte response

We have reviewed the assumptions made by the actuary in valuing the Authority's share of the assets and liabilities of the pension fund. We have also consulted with our own in-house actuaries to determine whether the assumptions are reasonable and within expected ranges.

Our review noted that the inflation rate used to value the pension liabilities was 3.5% per annum after a deduction of 0.5% pa. We consider that the rate is at lower end of an acceptable range at 31 March 2010. This deduction is made to allow for distortion in market implied inflation due to factors such as undersupply of index-linked gilts and inflation risk premiums. The average deduction we have observed is 0.3%. A change in the inflation assumption of 0.1% pa would increase the liability by c£0.9m.

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# 1. Key audit risks (continued)

## Changes to accounting framework and standards

### Background

The financial statements of all councils are required to comply with the accounting requirements of the SORP. A new SORP is issued every year ("the 2009 SORP" applies this year). The main change in the 2009 SORP are in respect of the accounting for Council Tax and NNDR, which are now required to reflect the substance of the arrangement where the council is effectively a collection agency. The comparative figures for 2008/09 are required to be reworked on this new basis and the financial statements will include a prior period adjustment in respect of this change in accounting policy.

In addition, there are new disclosure requirements with respect to senior officers' remuneration whereby the titles and, in some instances, the names of senior officers are required to be disclosed if certain levels of remuneration are exceeded.

We have reviewed the Authority's calculations of the change in accounting policy for the current and prior year figures alongside the detailed requirements of the 2009 SORP. We have also reviewed the senior officers' remuneration disclosures alongside the 2009 SORP requirements.

### Deloitte response

#### Council Tax:

We reviewed the Authority's working papers which quantify the impact of the new SORP. We have reviewed in detail the accounting adjustments proposed and have concluded that the amendments are in accordance with the requirements of the SORP. We have reviewed the adjustments made to prior year comparatives and note that as a consequence of the SORP changes the net worth reduced from £4,824,000 to £4,395,000. The deficit for the prior year increased from £1,105,000 to £1,129,000. The Collection Fund, Cash Flow Statement and summary of adjustments were also correctly presented.

#### Officers remuneration:

Review of the financial statements found that the change in the SORP relating to the remuneration of senior officers and the senior management team had been introduced in accordance with LAAP 85 and Regulations.

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## 2. Other issues

This section of the report summarises the key control recommendations that we have raised during the audit, together with managements responses.

### Authorisation of journals

<b>Background</b>	Not all journals are authorised by an additional reviewer. Only journals prepared by non-accountants within the finance team are authorised by a qualified members of the finance team.
<b>Recommendation</b>	An independent review of all journals posted, prior to them being posted to the ledger, to take place. This practice could initially be concentrated on one-off or exceptional journals instead of all recurring journals.
<b>Management Response</b>	Officers have implemented the review of journals prepared by non-accountants based on Deloitte recommendations from the prior year audit. However they believe it would not be cost effective to have journals prepared by accountants authorised.

### Preparation of supplier statement reconciliations for key suppliers

<b>Background</b>	Reconciliations between supplier statements and the Authority's creditor's ledger balance are not performed.
<b>Recommendation</b>	Reconciliations must be performed for key suppliers where supplier statements are received to ensure correct recording of liabilities.
<b>Management Response</b>	Officers accept this recommendation and will implement when new financial management system is implemented.

## 2. Other issues (continued)

### Segregation of duties

<b>Background</b>	<p>A number of business users, who are responsible for posting transactions, also have administrative access to key financial systems:</p> <ul style="list-style-type: none"><li>• two business users with administrator access and operational access;</li><li>• eleven business users with administrator access to the Civica application;</li><li>• six business users with administrator access to the Academy application including one user who has access to two generic accounts (Administrator and Supervisor); and</li><li>• two business users with administrator access to the Authority Purchasing application.</li></ul> <p>This creates segregation of duty conflicts between the processing of business transactions and the management of security and user administration. Where effective segregation of duties is not maintained there is an increased risk that inappropriate or unauthorised transactions may be performed which could impact the integrity of the financial systems and information</p>
<b>Recommendation</b>	<p>Review all applications to identify unnecessary administrator accounts assigned to business users. Administrator access should typically be restricted to the IT team.</p> <p>If there is a business reason why applications need to be administered by business users, appropriate monitoring controls should be put in place to detect whether any inappropriate activity is being performed.</p>
<b>Management Response</b>	<p>Officers have agreed this recommendation and a review will be undertaken in 2010/11.</p>

### Payment Account Data Security (PCI DSS) compliance

<b>Background</b>	<p>It was noted that payment card details from Academy are held for a period of 18 months and that the card details are not encrypted. In addition, network logical access controls are weak.</p> <p>The latest self-assessment relating to this data was performed in November 2008 and no further action has been taken since this date to safeguard the payment data and ensure compliance with PCI-DSS.</p> <p>Where sensitive data is not adequately protected there is an increased risk that this data could be accessed by unauthorised individuals, potentially resulting in fines, penalties and reputational damage to the Council.</p>
<b>Recommendation</b>	<p>Perform a gap analysis of the current procedures and controls over the capture and storage of payment card details with the standards set out for PCI-DSS compliance.</p> <p>The results of the gap analysis should be used to initiate a security project to remediate any identified significant gaps.</p>
<b>Management Response</b>	<p>PCI-DSS compliance is being managed through the ongoing upgrading of the cash receipts system, due for implementation in February 2011.</p>

# 3. Accounting policies and financial reporting

In the course of our audit of the financial statements, we consider the qualitative aspects of the financial reporting process, including items that have a significant impact on the relevance, reliability, comparability, understandability and materiality of the information provided by the financial statements. Our comments on the quality and acceptability of the group's accounting policies and financial reporting are discussed below.

## Accounting policies

The 2009/10 accounts have been prepared under the Statement of Recommended Practice (SORP) 2009. In preparation for the change to IFRS, there have been some changes to the SORP since 2008/9. No issues were noted.

## Financial reporting

The following disclosure deficiencies have been identified which have been amended by Officers:

- notes to the core financial statements now include notes explaining impact of prior year adjustment;
- impact of prior year adjustment for collection fund on Statement of Total Recognised Gains and Losses has now been included;
- note 7, related party transactions, now discloses disclose amounts due to and from related parties as at 31 March 2010 and include numerical disclosures in relation to North Yorkshire Audit Partnership and North Yorkshire Building Control Partnership; and
- post balance sheet event note now discloses the change announced in June 2010 budget to use Retail Price Index (RPI) to Consumer Price Index (CPI) when calculating pension liabilities.

There are no disclosure deficiencies identified which have not been amended by Officers.

# 4. Corporate Governance review and our responsibilities

## **Annual governance statement (AGS)**

In June 2007, CIPFA in conjunction with the Society of Local Authority Chief Executives (“SOLACE”) published ‘Delivering Good Governance in Local Government: A Framework’. This framework replaced the previous CIPFA/SOLACE framework ‘Corporate Governance in Local Government – A Keystone for Community Governance: A Framework’, which was published in 2001.

The framework introduced, from 2007/08, an integrated Annual Governance Statement (“AGS”).

The AGS covers all significant corporate systems, processes and controls, spanning the whole range of an Authority’s activities, including in particular those designed to ensure that:

- the Authority’s policies are implemented in practice;
- high quality services are delivered efficiently and effectively;
- the Authority’s values and ethical standards are met;
- laws and regulations are complied with;
- required processes are adhered to;
- financial statements and other published performance information are accurate and reliable; and
- human, financial, environmental and other resources are managed efficiently and effectively.

Our review is directed at:

- considering the completeness of the disclosures in the governance statement and whether it complies with proper practice as specified by CIPFA; and
- identifying any inconsistencies between the disclosure and the information that we are aware of from our work on the financial statements and other work relating to the Code of Audit Practice.

We have reviewed the Authority’s AGS in line with the requirements above. We have concluded that the AGS includes all appropriate disclosures and is consistent with our understanding of the Authority’s governance arrangements and internal controls derived from our audit work.

# 5. Value for money (VFM) conclusion

## The VFM conclusion

Under the Code of Audit Practice 2009 (the Code), auditors are required to include a positive conclusion in their statutory audit report as to whether they are satisfied that the audited body has put in place proper arrangements to secure economy, efficiency and effectiveness in its use of resources. The scope of these arrangements is defined in the Code as comprising corporate performance management arrangements and financial management arrangements. This conclusion is given within our audit report on the Authority's accounts.

At the end of May 2010, the Commission wrote to all chief executives to inform them that, following the government's announcement, work on CAA would cease with immediate effect and that the Commission would not be issuing new scores for the use of resources (UoR) assessments. We are still required however by the Code of Audit Practice to issue a value for money conclusion, and we have used the results of the work completed on the use of resources assessment up to the end of May to inform the 2009/10 conclusion. Although we are not able to report scored judgements, the significant findings from our 2009/10 use of resources work will be discussed with management over the coming weeks.

The conclusion is limited to an assessment of eight criteria specified by the Audit Commission under the UoR methodology. The UoR assessment consists of judgements against ten key lines of enquiry (KLOE) which focus on financial management but also link to the strategic management of the Authority. The KLOE cover a range of topics including how financial management is integrated with strategy and corporate management supports Authority's priorities and delivers value for money. Assessments are carried out annually, as part of each Authority's external audit. For district councils, the Commission has specified that eight of the ten KLOE will be considered for 2009/10.

Where, in our judgement, there are gaps in the arrangements which are significant enough, we qualify our conclusion in relation to particular criteria, either on an 'except for' basis (i.e. the Authority has put in place proper arrangements except for...) or in the form of an 'adverse' conclusion (i.e. the Authority has not put in place arrangements in that...). Based on the guidance we have received from the Audit Commission, where qualified, our report refers only to the criteria which we conclude have not been met, without providing further details.

For the purposes of the conclusion required by the Code, auditors are required to apply a yes/no assessment to the applicable Code criteria, i.e. the audited body either has proper arrangements in place or not. As is shown in the table overleaf, no issues were noted in our value for money conclusion



## 5. Value for money (VFM) conclusion (continued)

Code criteria	KLOE	Conclusion
1. Does the organisation plan its finances effectively to deliver its strategic priorities and secure sound financial health?	1.1	Yes
2. Does the organisation have a sound understanding of its costs and performance and achieve efficiencies in its activities?	1.2	Yes
3. Is the organisation's financial reporting timely, reliable and does it meet the needs of internal users, stakeholders and local people?	1.3	Yes
4. Does the organisation commission and procure quality services and supplies, tailored to local needs, to deliver sustainable outcomes and value for money?	2.1	Yes
5. Does the organisation produce relevant and reliable data and information to support decision making and manage performance?	2.2	Yes
6. Does the organisation promote and demonstrate the principles and values of good governance?	2.3	Yes
7. Does the organisation manage its risks and maintain sound system of internal control?	2.4	Yes
8. Is the organisation making effective use of its natural resources?	3.1	Yes

## 6. Other matters for communication

As part of our obligations under International Standards on Auditing (UK & Ireland) we are required to report to you on the matters listed below.

<b>Independence</b>	<p>We consider that we comply with APB Revised Ethical Standards for Auditors and that, in our professional judgement, we are independent and the objectivity of the audit engagement partner and audit staff is not compromised.</p> <p>If the audit committee wishes to discuss matters relating to our independence, we would be happy to arrange this.</p>
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<b>Non-audit services</b>	<p>We are not aware of any inconsistencies between APB Revised Ethical Standards for Auditors and the Authority's policy for the supply of non audit services or of any apparent breach of that policy.</p> <p>During the year, £7,000 of non-audit services were performed in relation to an IT health check.</p>
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<b>Audit fees</b>	<p>The professional fees earned by Deloitte in relation to audit services provided on behalf of the Audit Commission in the period from 1 April 2009 to 31 March 2010 are as follows:</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 70%;"></th> <th style="width: 15%; text-align: center;">2010</th> <th style="width: 15%; text-align: center;">2009</th> </tr> </thead> <tbody> <tr> <td>Fees payable to the auditors for the audit of the annual accounts (excluding VAT)</td> <td style="text-align: center;">£88,000</td> <td style="text-align: center;">£81,000</td> </tr> </tbody> </table> <p>The audit fee has been calculated in accordance with Audit Commission fee scale.</p>		2010	2009	Fees payable to the auditors for the audit of the annual accounts (excluding VAT)	£88,000	£81,000
	2010	2009					
Fees payable to the auditors for the audit of the annual accounts (excluding VAT)	£88,000	£81,000					

<b>International Standards on Auditing (UK and Ireland)</b>	<p>We consider that there are no additional matters in respect of those items highlighted in our publication "Briefing on audit matters" to bring to your attention that have not been raised elsewhere in this report or our audit plan.</p>
-------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

<b>Liaison with internal audit</b>	<p>The audit team, following an assessment of the independence and competence of the internal audit department, reviewed the findings of internal audit to inform the risk assessment and consider the impact on our audit approach as deemed appropriate. No adjustments were made to the audit approach as a result of our review of the work of internal audit.</p>
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<b>Written representations</b>	<p>A copy of the representation letter to be signed on behalf of the Authority is included at Appendix 2.</p>
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# 7. Responsibility statement

The Audit Commission published a 'Statement of responsibilities of auditors and of audited bodies' alongside the Code of Audit Practice. The purpose of this statement is to assist auditors and audited bodies by summarising where, in the context of the usual conduct of the audit, the different responsibilities of auditors and of the audited body begin and end, and what is expected of the audited body in certain areas. The statement also highlights the limits on what the auditor can reasonably be expected to do.

Our audit plan has been prepared on the basis of, and our audit work carried out in accordance with the Code and the Statement of Responsibilities, copies of which have been provided to the Authority by the Audit Commission.

The audit may include the performance of national studies developed by the Audit Commission, where the auditors are required to follow the methodologies and use the comparative data provided by the Commission. Responsibilities for the adequacy and appropriateness of these methodologies and the data rests with the Audit Commission. The audit may also include reviews such as this report which address locally determined risks and issues the scope of which is agreed with management in advance of the work. In this case it is for management to determine whether the scope is adequate and appropriate to their needs.

While our reports may include suggestions for improving accounting procedures, internal controls and other aspects of your business arising out of our audit, we emphasise that our consideration of the Authority's system of internal control was conducted solely for the purpose of our audit having regard to our responsibilities under Auditing Standards and the Code of Audit Practice. We make these suggestions in the context of our audit but they do not in any way modify our audit opinion which relates to the financial statements as a whole. Equally, we would need to perform a more extensive study if you wanted us to make a comprehensive review for weaknesses in existing systems and present detailed recommendations to improve them.

Any conclusion, opinion or comments expressed herein are provided within the context of our opinion on the financial statements and our conclusion on value for money as a whole, which was expressed in our auditors' report.

We view this report as part of our service to you for use as Members of Ryedale District Council for Corporate Governance purposes and it is to you alone that we owe a responsibility for its contents. We accept no duty, responsibility or liability to any other person as the report has not been prepared, and is not intended, for any other purpose. It should not be made available to any other parties without our prior written consent.

If you intend to publish or distribute financial information electronically, or in other documents, you are responsible for ensuring that any such publication properly presents the financial information and any report by us thereon and for controls over, and security of the website. You are also responsible for establishing and controlling the process for electronic distributing accounts and other information.

## **Deloitte LLP**

Chartered Accountants

Leeds, UK  
27 September 2010

*For your convenience, this document has been made available to you in electronic format. Multiple copies and versions of this document may therefore exist in different media - in the case of any discrepancy the final signed hard copy should be regarded as definitive. Earlier versions are drafts for discussion and review purposes only.*

# Appendix 1: Audit adjustments

## Unadjusted misstatements

We report all individual identified unrecorded audit adjustments in excess of £7,736 and other identified misstatements in aggregate adjusted by management in the table below.

Unadjusted misstatements:

Description	Assets	Liabilities	Equity	Income
	DR / (CR)	DR / (CR)	DR / (CR)	Statement
	£	£	£	DR / (CR)
Reduction in Housing Benefit bad debt provision	-	16,783	-	(16,783)
Increase in court cost debt provision	-	(33,783)	-	33,783
Deferral of annual car park permit income recognised in advance of provision of service	-	(45,560)	-	45,560
Overstatement of Council Tax Arrears	<u>(22,722)</u>	<u>22,722</u>	<u>-</u>	<u>-</u>
	<u>(22,722)</u>	<u>(39,838)</u>	<u>-</u>	<u>62,560</u>

No adjustments have been booked to the income and expenditure initially reported in June 2010.

£167,129 of uncorrected misstatements were noted in the prior year which have either increased income or reduced expenditure in the current year. We note from our audit that management have addressed the underlying issues and judgements that give rise to the adjustments in the prior year.

# Appendix 2: Letter of management representations

## ***(Client's Letterhead)***

Deloitte LLP  
1 City Square  
Leeds  
West Yorkshire  
LS1 2AL

Our Ref: JR/AJL/RCD/0910  
2010

27 September

Dear Sirs

This representation letter is provided in connection with your audit of the financial statements of Ryedale District Council for the year ended 31 March 2010 for the purpose of expressing an opinion as to whether the financial statements give a true and fair view of the financial position of Ryedale District Council as of 31 March 2010 and of the results of its operations, other recognised gains and losses and its cash flows for the year then ended in accordance with applicable accounting framework.

We acknowledge our responsibilities for preparing financial statements for the Authority which give a true and fair view and for making accurate representations to you.

We confirm, to the best of our knowledge and belief, the following representations.

1. All the accounting records have been made available to you for the purpose of your audit and all the transactions undertaken by the Authority have been properly reflected and recorded in the accounting records. All other records and related information, including minutes of all Authority, Senior Management, Planning Committee, Audit and Review Committee and Standards Committee, have been made available to you.
2. We acknowledge our responsibilities for the design, implementation and operation of internal control to prevent and detect fraud and error.
3. We have disclosed to you the results of our assessment of the risk that the financial statements may be materially misstated as a result of fraud.
4. We are not aware of any significant facts relating to any frauds or suspected frauds affecting the Authority involving:
  - (i). management;
  - (ii). employees who have significant roles in internal control; or
  - (iii). Others where the fraud could have a material effect on the financial statements.

5. We have disclosed to you our knowledge of any allegations of fraud, or suspected fraud, affecting the Authority's financial statements.
6. We are not aware of any actual or possible instances of non-compliance with laws and regulations, the effects of which should be considered when preparing financial statements.
7. We have considered the uncorrected misstatements detailed in the appendix to this letter. We believe that no adjustment is required to be made in respect of any of these items as they are individually and in aggregate immaterial having regard to the financial statements taken as a whole.
8. Where required, the value at which assets and liabilities are recorded in the balance sheet is, in the opinion of the directors, the fair value. We are responsible for the reasonableness of any significant assumptions underlying the valuation, including consideration of whether they appropriately reflect our intent and ability to carry out specific courses of action on behalf of the Authority. Any significant changes in those values since the balance sheet date have been disclosed to you.
9. We confirm the completeness of the information provided regarding the identification of related parties, and the adequacy of related party disclosures in the financial statements.

We have made enquiries of any key officers or other individuals who are in a position to influence, or who are accountable for the stewardship of the Authority and confirm that we have disclosed in the financial statements all transactions relevant to the Authority and we are not aware of any other such matters required to be disclosed in the financial statements, whether under FRS8 "Related party disclosures" or other requirements.

10. We confirm that the financial statements have been prepared on the going concern basis. We do not intend to cease the Authority's activities. We are not aware of any material uncertainties related to events or conditions that may cast significant doubt upon the Authority's ability to continue as a going concern. We confirm the completeness of the information provided regarding events and conditions relating to going concern at the date of approval of the financial statements, including our plans for future actions.
11. No claims in connection with litigation have been or are expected to be received by the Authority.
12. We have no plans or intentions that may materially affect the carrying value or classification of assets and liabilities reflected in the financial statements.
13. There have been no events subsequent to 31 March 2010, except as disclosed in the financial statements, which require adjustment of or disclosure in the financial statements or notes thereto. Should further material events occur which may necessitate revision of the figures included in the annual accounts or inclusion of a note thereto, we will advise you accordingly.
14. There have been no irregularities involving members or employees who have a significant role in the accounting and internal control systems or that could have a material effect on the financial statements.
15. We confirm that no significant fixed assets have been sold or scrapped during the financial year other than those identified in the financial statements.
16. We confirm that where income has been received for a specific activity that income has been recognised in the appropriate period.
17. We have reconsidered the remaining useful lives of the fixed assets and confirm that the present rates of depreciation are appropriate to amortise the cost less residual value over the remaining useful lives. We confirm that general overheads are treated in accordance with SORP within the accounts.
18. The financial statements are free from material misstatement.
19. The Authority has satisfactory title to all assets and there are no liens or encumbrances on the Authority's assets.
20. We recognise that we are responsible for ensuring that the statement of accounts as published on the website properly presents the financial information and your auditor's report and for the controls over, and security of, the website. We also recognise that we are responsible for establishing and controlling the process for electronically distributing annual reports and other information.

21. We confirm that:

1. all retirement benefits and schemes, including UK, foreign, funded or unfunded, approved or unapproved, contractual or implicit have been identified and properly accounted for;
2. all settlements and curtailments have been identified and properly accounted for;
3. all events which relate to the determination of pension liabilities have been brought to the actuary's attention;
4. the actuarial assumptions underlying the valuation of the scheme liabilities accord with the Members' best estimates of the future events that will affect the cost of retirement benefits and are consistent with our knowledge of the business;
5. the actuary's calculations have been based on complete and up to date member data as far as appropriate regarding the adopted methodology.

The amounts included in the financial statements derived from the work of the actuary are appropriate.

22. We confirm that the methodology used by management to estimate the increase in value to fixed assets as a result of expenditure on those assets represents the best estimate of the value added.

23. All known material liabilities have been properly included in the annual accounts and all material contingent liabilities have been disclosed.

We confirm that the above representations are made on the basis of adequate enquiries of management and staff (and where appropriate, inspection of evidence) sufficient to satisfy ourselves that we can properly make each of the above representations to you.

Yours faithfully

**Signed on behalf of Ryedale District Council**

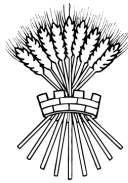
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<b>REPORT TO:</b>	<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>7 OCTOBER 2010</b>
<b>REPORT OF THE:</b>	<b>HEAD OF ENVIRONMENT PHIL LONG</b>
<b>TITLE OF REPORT:</b>	<b>REPAIRS TO FORMER TOWN HALL, MALTON</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **1.0 PURPOSE OF REPORT**

- 1.1 As requested by the Overview and Scrutiny Committee on 19 August 2010 this report provides an update on the position regarding the repairs to the roof and stonework at the former Town Hall, Malton. The report was to outline the history of the project and progress to date.

## **2.0 RECOMMENDATIONS**

- 2.1 It is recommended that Members receive this report and note the contents.

## **3.0 REASONS SUPPORTING DECISION**

- 3.1 The report updates members regarding the history of the project and reasons for the works delay. The report makes reference to and updates an earlier report regarding delays to the Town Hall roof presented to the Overview and Scrutiny on 20 December 2009.

## **4.0 REPORT DETAILS**

- 4.1 The former Town Hall is owned by the Fitzwilliam Malton Estate and the Council negotiated a maximum three-year extension to the lease in 2009. The tenant is required to keep the property in good and tenable repair.
- 4.2 Problems were identified with the roof fabric in the mid to late 1990's in that tiles were becoming dislodged on a regular basis. It was decided at the time to carry out the repair work.
- 4.3 It became evident in late 2007 that tile slips were occurring with increasing regularity. Accordingly, a full condition survey was commissioned and carried out by an external surveyor. This survey was carried out in July 2008 by Building Care and Conservation. The report also identified issues with the stonework, however it was already known that work would need to be carried out to the external fabric before the end of the lease.

4.4 As previously reported to O&S on 20 December 2009 the following actions took place.

- A hoarding was established to the west elevation in order to protect the public.
- Brick chimney stacks were lowered down to a safe height.
- Results of the survey were reported to the Resources Working Party on 26 August 2008. After consideration at the Policy and Resources Committee on the 2 October, on the 6 November 2008 it was agreed at Full Council to carry out the re-roofing and stonework works.
- Works regarding the roof were advertised in the local press during late November /early December and tenders were returned by 23 January 2009. Two tenders were received.
- These were reported to the Policy and Resources Committee meeting on 2 April 2009, where it was resolved (minute 396) that the Chief Executive be given delegated authority in consultation with the Chairman of the Policy and Resources Committee to accept:-
  - The tender of Alan Shaw Roofing of York in the sum of £79,531.33 for the re-roofing works to the former Town Hall, Malton and
  - A suitable quotation for repairs to the exterior stonework.
- A conservation Architect was engaged during late 2008 to schedule and prepare a suitable specification in order to enable quotations to be obtained for the stonework repairs. These works were estimated to be approximately £30,000 by the conservation Architect. Prices were received just prior to the Policy and Resources meeting and varied from £84,600 to £128,433.80, these tenders had not been fully evaluated before the meeting. In view of the prices obtained the conservation architect was requested to re-assess the extent of work planned.
- Following the Policy and Resources meeting on the 2 April 2009, the Chief Executive met with the Property Manager to review the files and papers for the contract for the roof repairs. At this time it came to light that there were some omissions in the completion of the tender documentation by the lowest tenderer which raised questions around whether the tender was valid and could be accepted. As a result of this further work was undertaken internally to establish whether this contract could be awarded.
- Simultaneously the significant cost from the stonework had been evaluated. It was now clear that there was insufficient financial provision within the budget to award the two elements of the scheme. It had also been originally intended that some shared or concurrent use of scaffolding would be undertaken to reduce costs however the lowest tenderer for the roofing works had difficulties with this issue and therefore additional costs would need to be considered as the stonework contract was not ready to be let.

4.5 As reported to this committee on 20 December 2009 the original intention was to re-tender the re-roofing works in early 2010, with a view to starting works on site in spring. With regard to the stonework, clearly the first set of quotations was substantially outside the estimate suggested by the conservation architect. The architect reviewed the scope of works and it was proposed that the revised works would be tendered after the roofing tenders are known and subject to the available budget, it was anticipated that the stonework repairs would follow on from the re-roofing works, probably during autumn 2010. At that point it was still the intention to attempt to minimise costs by considering the shared use of scaffolding for the two pieces of work.

- 4.6 On reviewing the specification and supporting documentation a bat survey was required. Starting work without having undertaken the bat survey could potentially have led to significant delays and therefore additional costs. The emergence (bat) survey could not take place until late June 2010 due to the nature of the certain times of year when bats leave their roosts. To begin work not knowing whether bats were roosting in the roof at the time could potentially lead to the imposition of fines and long delays with a contractor on site potentially claiming costs including scaffold hire etc without being able to progress the work. During this time, the specification was reviewed and amended in consultation with the Conservation Officer and the Fitzwilliam Estate to identify the scope and method of work. The works were then retendered.
- 4.7 The retendering took place with the assistance of the procurement partnership. Electronic tendering took place and 42 companies viewed the tender and 7 were shortlisted. A total of 6 tenders were received on 28 July 2010. The analysis was undertaken and references consulted and no omissions were found. Financial checks carried out on the contractor indicated a low risk in this respect and the contract was awarded to the lowest tender of £52,978.65 from the contractor, Martin Brooks (Roofing Specialists) Ltd, who have extensive experience in this type of work and very good references from the likes of the National Trust. Following pre-start meetings and further consultation with Fitzwilliam Estate and the Conservation Officer, the contractor proposed a start date of 6 September and agreed to a proposed contract duration of 10 weeks.
- 4.8 The repairs to the stonework are currently under review having followed a similar process to that of the assessment of the specification for the roof. The benefit of using the same scaffold has been reconsidered and would have likely led to significant delays with the progress of the roof works.
- 4.9 Negotiations regarding the potential scope of stonework repair required to the external masonry and the extent of RDC liability for it are ongoing. It is expected that this can be agreed over the coming months with a view to undertaking a tender exercise for the work in the spring of 2011 and potentially carrying out the necessary work throughout the late spring and early summer months.

## **5.0 IMPLICATIONS**

5.1 The following implications have been identified:

- a) Financial  
The revised quote of £52,978.65 represents a substantial 33.39% saving over the original quote of £79,531.33. Additional costs have been incurred of approximately £1,900 over the period between the original tenders having been received and starting work on site.
- b) Legal  
Landlord's permission is required for the work and consultation has been undertaken with the Estate. Works are subject to a JCT Standard Form of Contract.
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder).  
No significant issues arise other than those highlighted in the report.

**Phil Long**  
**Head of Environment**

**Background Papers:**  
None

**OFFICER CONTACT:**

Please contact Phil Long if you require any further information on the contents of this report. The officer can be contacted at Ryedale House on 01653 600666 or e-mail [phil.long@ryedale.gov.uk](mailto:phil.long@ryedale.gov.uk).

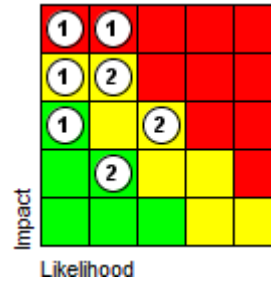
# Service Risk Register - Organisational Development

Generated on: 20 September 2010



## Organisational Development

### Current Risk Heat Map




Status	Code	Title	Key												
	OD 02	Ageing workforce	<table border="1"> <thead> <tr> <th colspan="2">Risk Status</th> </tr> </thead> <tbody> <tr> <td></td> <td>OK</td> </tr> <tr> <td></td> <td>Warning</td> </tr> <tr> <td></td> <td>Alert</td> </tr> <tr> <td></td> <td>Unknown</td> </tr> <tr> <td></td> <td></td> </tr> </tbody> </table>	Risk Status			OK		Warning		Alert		Unknown		
Risk Status															
	OK														
	Warning														
	Alert														
	Unknown														
	OD 03	Failure to manage servers													
	OD 04	Lack of web/internet resilience and consequent failure of the infrastructure													
	OD 05	ICT has no comprehensive second site													
	OD 06	Failure to maintain IT software and hardware													
	OD 07	A successful attack against RDC infrastructure, system and premises													
	OD 08	Breakdown in Trade Union relations													
	OD 09	Failure to manage partnership agreements													
	OD 10	Data Quality													
	OD 11	Failure to successfully run an election													

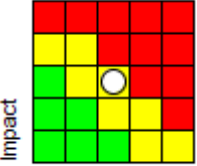
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Agenda Item 8

**OD 02 Ageing workforce**

Risk Code	Risk Title	Description	Status
OD 02	Ageing workforce		

**Consequences** Staff can retire at any time (workforce plan). Increased vacancies. Lack of knowledge transfer. Lack of opportunity.

Current Risk Matrix	Current Rating Description				Last Review Date
	Current Impact	C	Current Likelihood	3	24 Mar 2009
		Medium		Likely	

Target Risk Matrix	Target Rating Description				SMT Lead
	Target Impact	C	Target Likelihood	2	Louise Sandall
		Medium		Not Likely	


**Latest Progress**


The workforce plan is implemented. An apprentice scheme has been adopted. Succession Planning workshop is planned in October.

**OD 03 Failure to manage servers**

Risk Code	Risk Title	Description	Status
OD 03	Failure to manage servers		

**Consequences** Server failure. Lack of space. Documents not being backed up


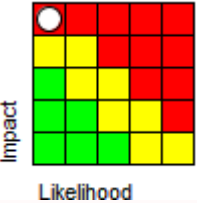
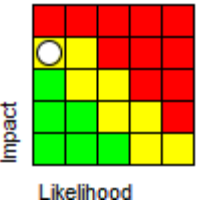
Current Risk Matrix	Current Rating Description			Last Review Date
 <p>Impact</p> <p>Likelihood</p>	Current Impact	D Major	Current Likelihood 2 Not Likely	21 Sep 2010

Target Risk Matrix	Target Rating Description			SMT Lead
 <p>Impact</p> <p>Likelihood</p>	Target Impact	B Minor	Target Likelihood 1 Very Low	Louise Sandall

**Latest Progress**


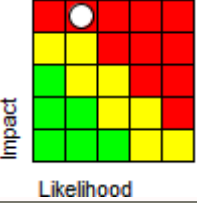
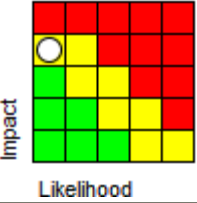
Whilst not all applications will virtualise, a better central backup solution is being brought in with the virtualization solution, which will ensure data is protected.

OD 04 Lack of web/internet resilience and consequent failure of the infrastructure


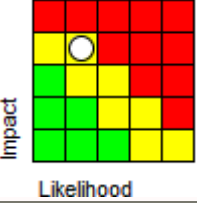
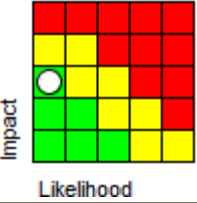
Risk Code	Risk Title	Description	Status			
OD 04	Lack of web/internet resilience and consequent failure of the infrastructure					
<b>Consequences</b>		Loss of email. Limited ICT services being available. Loss of systems. Disruptions to public facing services.				
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		<b>Last Review Date</b>		
		<b>Current Impact</b>	E Disaster	<b>Current Likelihood</b>	1 Very Low	21 Sep 2010
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		<b>SMT Lead</b>		
		<b>Target Impact</b>	D Major	<b>Target Likelihood</b>	1 Very Low	Louise Sandall
<b>Latest Progress</b>						
Ryedale House is to become a mini-Point-of-Presence on NYnet network, which will provide fibre to the premises, adding additional security.						




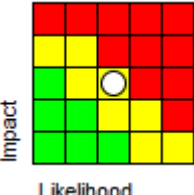
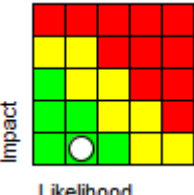
OD 05 ICT has no comprehensive second site

Risk Code	Risk Title	Description	Status					
OD 05	ICT has no comprehensive second site							
<b>Consequences</b>		Business continuity						
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		<b>Last Review Date</b>				
		<table border="1"> <tr> <td>E</td> <td rowspan="2">Current Likelihood</td> <td>2</td> </tr> <tr> <td>Disaster</td> <td>Not Likely</td> </tr> </table>	E	Current Likelihood	2	Disaster	Not Likely	24 Mar 2010
E	Current Likelihood	2						
Disaster		Not Likely						
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		<b>SMT Lead</b>				
		<table border="1"> <tr> <td>D</td> <td rowspan="2">Target Likelihood</td> <td>1</td> </tr> <tr> <td>Major</td> <td>Very Low</td> </tr> </table>	D	Target Likelihood	1	Major	Very Low	Louise Sandall
D	Target Likelihood	1						
Major		Very Low						
<b>Latest Progress</b>								
Virtualization solution places resilient solution for a number of servers at Commercial Services depot.								


**OD 06 Failure to maintain IT software and hardware**

Risk Code	Risk Title	Description	Status	
OD 06	Failure to maintain IT software and hardware			
<b>Consequences</b>		Regular break downs on equipment resulting in possible loss of data, not being able to use the equipment		
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		<b>Last Review Date</b>
		<b>Current Impact</b> D Major	<b>Current Likelihood</b> 2 Not Likely	24 Mar 2010
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		<b>SMT Lead</b>
		<b>Target Impact</b> C Medium	<b>Target Likelihood</b> 1 Very Low	Louise Sandall
<b>Latest Progress</b>				
Use corporate ICT Programme Plan to maintain system planning at an adequate level. Regular review and management of plan will ensure systems and hardware are appropriate.				

**OD 07 A successful attack against RDC infrastructure, system and premises**

Risk Code	Risk Title	Description				Status
OD 07	A successful attack against RDC infrastructure, system and premises					
<b>Consequences</b>		Business disruption. Unplanned costs. Loss of information. Loss of reputation				
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>			<b>Last Review Date</b>	
		<b>Current Impact</b>	C	<b>Current Likelihood</b>	3	24 Mar 2009
<b>Target Risk Matrix</b> 			<b>Target Impact</b>		A	
<b>Latest Progress</b>		Government Connect and annual IT Health Checks ensure RDC IT perimeter is suitably secure.				

OD 08 Breakdown in Trade Union relations

Risk Code	Risk Title	Description	Status	
OD 08	Breakdown in Trade Union relations			
<b>Consequences</b>		Strike(s). Lack of cooperation in moving the organisation forward.		
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		<b>Last Review Date</b>
	<b>Current Impact</b>	B	2	24 Mar 2009
		Minor	<b>Current Likelihood</b>	
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		<b>SMT Lead</b>
	<b>Target Impact</b>	A	1	Louise Sandall
		Low	<b>Target Likelihood</b>	
<b>Latest Progress</b>				
Regular meetings are held with UNISON to discuss the One-11 Programme. Meetings are held with UNISON to discuss development of policies and procedures.				

**OD 10 Data Quality**

Risk Code	Risk Title	Description	Status
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OD 10	Data Quality		
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**Consequences**  
 Inaccurate information supplied to CMT, payroll, suppliers, councillors, members of the public. Loss of reputation. Loss of member and officer time. Loss of public confidence. Inability to progress projects effectively.

Current Risk Matrix	Current Rating Description			Last Review Date
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 <p>Impact</p> <p>Likelihood</p>	Current Impact	B	Current Likelihood	2	
		Minor		Not Likely	

Target Risk Matrix	Target Rating Description			SMT Lead
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 <p>Impact</p> <p>Likelihood</p>	Target Impact	B	Target Likelihood	2	Louise Sandall
		Minor		Not Likely	


**Latest Progress**


Payroll checked here, and then checked at York City; HR information checked by staff; CRB completed and checked by 2 HR staff

**OD 11 Failure to successfully run an election**

Risk Code	Risk Title	Description	Status
OD 11	Failure to successfully run an election		

**Consequences** Loss of public confidence, Legal Challenge, Loss of reputation, Cost of re-running election

Current Risk Matrix	Current Rating Description			Last Review Date
	Current Impact	D	Current Likelihood	1
		Major		Very Low

Target Risk Matrix	Target Rating Description			SMT Lead
	Target Impact	D	Target Likelihood	1
		Major		Very Low

**Latest Progress**

The successful delivery of the postponed parliamentary general election for the Thirsk and Malton Constituency in May 2010 demonstrated that the contingency and risk management arrangements that had been put in place were satisfactory.

Each election now has a project plan and a working group. All contractors are signed up in advance and second contractors are identified. A full media and communications plan is agreed for every election. All elections have a risk register including the annual canvass. Risk assessments are conducted for all key activities. All staff are thoroughly trained in all aspects of the election, as detailed in a written training plan. Joint working groups are held with other local authorities.



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<b>REPORT TO:</b>	<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>7 OCTOBER 2010</b>
<b>REPORT OF THE:</b>	<b>HEAD OF TRANSFORMATION CLARE SLATER</b>
<b>TITLE OF REPORT:</b>	<b>HALF YEAR RISK MANAGEMENT MONITORING REPORT</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 To present the latest monitoring report for the Council's corporate risks.

### **2.0 RECOMMENDATION**

2.1 It is recommended that Members note the current status and recent progress with managing the risks identified in the Corporate Risk Register.

### **3.0 REASON FOR RECOMMENDATION**

3.1 Risk identification and management is an integral element of organisational management to secure the achievement of the Council's corporate objectives. Risk Management should also form a key part of any budget making decisions.

### **4.0 SIGNIFICANT RISKS**

4.1 The risks within the corporate risk register are all being managed effectively within no significant levels of risk currently identified.

## **REPORT**

### **5.0 BACKGROUND AND INTRODUCTION**

5.1 The Corporate Risk Register should identify those risks which will prevent the Council from achieving the Council Plan, and therefore ultimately the Sustainable Community Strategy – Imagine Ryedale...

5.2 Management Team monitor the actions as part of the risk management cycle and this enables the Corporate Risk Register to be a living document. Detailed actions and monitoring also assist in the revision to the register, which will be undertaken during the year.

## **6.0 POLICY CONTEXT**

6.1 This report is in line with Policy in monitoring the delivery of the Council Plan.

## **7.0 CONSULTATION**

7.1 The Corporate Risk Register is developed and managed by the Council's Management Team. All service areas are therefore involved in its development through the service delivery planning cycle.

## **8.0 REPORT DETAILS**

8.1 Annex A presents the progress towards mitigating each risk, and the status of each risk as defined by the Risk Management Strategy.

## **9.0 IMPLICATIONS**

9.1 The implications of not managing our corporate risks are detailed in the consequences section of the risk report attached.

### **Head of Transformation Clare Slater**

Author: John Barnett, Audit Manager, North Yorkshire Audit Partnership  
Telephone No: 01653 600666 ext: 382  
E-Mail Address: john.barnett@scarborough.gov.uk

### **Background Papers:**

Council Plan and Service Delivery Plans are available on Covalent, along with related service risk registers.



















### **Background Papers are available for inspection at:**

Council Plan and Service Delivery Plans are available on Covalent.


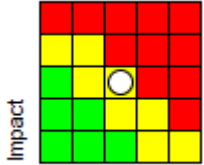





# Corporate Risk Register 2009-2013


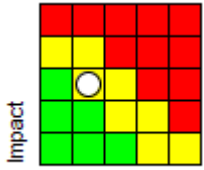
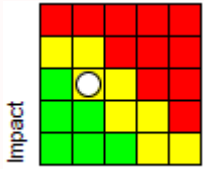
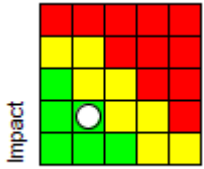
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Risk Summary			Key	
Status	Code	Title	Risk Status	
	CRR 01	Significant Partnerships		OK
	CRR 02	Capital Programme		Warning
	CRR 03	Staff Management		Alert
	CRR 05	Affordable Housing		Unknown
	CRR 06	Procurement		
	CRR 07	Health and Safety		
	CRR 08	Business Continuity Planning		
	CRR 09	Governance Arrangements		
	CRR 10	Major Incident risk Flooding		
	CRR 11	Council Assets		
	CRR 12	Customer Expectations		
	CRR 13	Fraud and Corruption		
	CRR 14	Data Quality		
	CRR 15	Delivering Efficiencies		


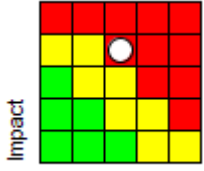


Page 47

CRR 01 Significant Partnerships				
Risk Code	Risk Title	Description	Status	
CRR 01	Significant Partnerships	That the Council fails to manage its partnerships effectively		
<b>Consequences</b>		Financial cost to the Council through partnership failure, breach of legislation by partnership with consequences for Council and its reputation, levels of service satisfaction and quality fall below acceptable levels.		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
	<b>Original Impact</b>	C	<b>Original Likelihood</b>	3
		Medium		Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
	<b>Current Impact</b>	C	<b>Current Likelihood</b>	1
		Medium		Very Low
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
	<b>Target Impact</b>	B	<b>Target Likelihood</b>	1
		Minor		Very Low
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 All significant partnerships being managed by Management Team in line with the Partnership Protocol. All partnerships following the protocol at service level.			24 Sep 2010	Clare Slater


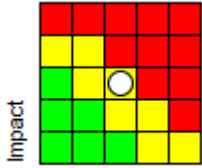
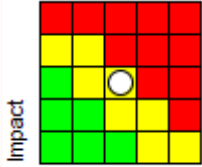
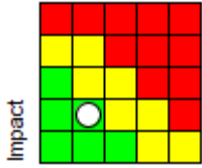
CRR 02 Capital Programme				
Risk Code	Risk Title	Description	Status	
CRR 02	Capital Programme	Failure to deliver capital programme for Council priorities, on budget and on time.		
<b>Consequences</b>		Failure to deliver the Council priorities		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
		Original Impact	C	3
			Medium	Original Likelihood
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
		Current Impact	C	1
			Medium	Current Likelihood
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
		Target Impact	C	1
			Medium	Target Likelihood
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Progress monitoring embedded in the work of Resources Working Party, who receive bi-monthly reports with highlight reporting on individual projects.			24 Sep 2010	Trevor Anderson




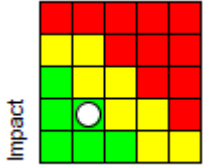
CRR 03 Staff Management			
Risk Code	Risk Title	Description	Status
CRR 03	Staff Management	Failure to effectively manage and develop our workforce assets	
<b>Consequences</b>		Decline in employee performance and delivery	
<b>Original Matrix</b>		<b>Original Rating Description</b>	
	<b>Original Impact</b>	C	2
		Medium	<b>Original Likelihood</b>
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>	
	<b>Current Impact</b>	C	2
		Medium	<b>Current Likelihood</b>
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>	
	<b>Target Impact</b>	B	2
		Minor	<b>Target Likelihood</b>
<b>Latest Progress</b>			<b>Last Review Date</b>
04 Feb 2010 HR Policies and Procedures are under Review. Workforce Plan is drafted. Leadership Development programme has been launched. One - 11 programme launched October 2009			29 Sep 2009
			<b>SMT Lead</b>
			Louise Sandall

CRR 05 Affordable Housing				
Risk Code	Risk Title	Description	Status	
CRR 05	Affordable Housing	Housing need in Ryedale which can be met through the provision of affordable housing is not met.		
<b>Consequences</b>		Homelessness increases with resultant service costs. Unbalanced housing market. Negative impact on the local economy. Lack of key workers to support the needs of the community		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
	<b>Original Impact</b>	C	<b>Original Likelihood</b>	2
		Medium		Not Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
	<b>Current Impact</b>	C	<b>Current Likelihood</b>	3
		Medium		Likely
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
	<b>Target Impact</b>	C	<b>Target Likelihood</b>	2
		Medium		Not Likely
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Risk of reduction in funding for homelessness support and supporting people programmes, uncertainty over longer term future for Bridge House, reductions in funding likely for adaptation and improvement of housing stock. 09/10 performance above target for new affordable Homes 96 delivered, however this rate of improvement against the previous year (70%) is unlikely to be sustained in the current financial climate.			24 Sep 2010	Gary Housden; Julian Rudd


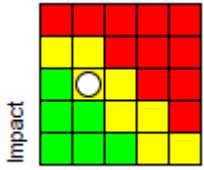
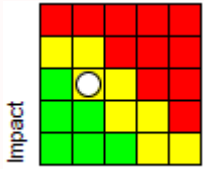
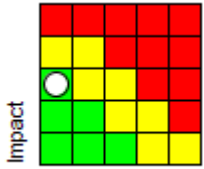
CRR 06 Procurement			
Risk Code	Risk Title	Description	Status
CRR 06	Procurement		
<b>Consequences</b>		Failure to make efficiency savings. Priority projects not delivered to budget. Government penalties. Breach of legislation eg. equalities or health and safety. Damage to RDC reputation.	
<b>Original Matrix</b>		<b>Original Rating Description</b>	
	<b>Original Impact</b>	D	3
		Major	<b>Original Likelihood</b>
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>	
	<b>Current Impact</b>	C	2
		Medium	<b>Current Likelihood</b>
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>	
	<b>Target Impact</b>	C	2
		Medium	<b>Target Likelihood</b>
<b>Latest Progress</b>		<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 New arrangement in place and working well with support for officers available on procurement issues. Procurement Strategy now under revision, with web pages being updated		24 Sep 2010	Phil Long


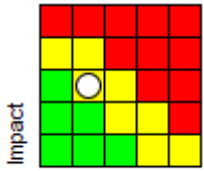
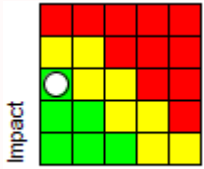
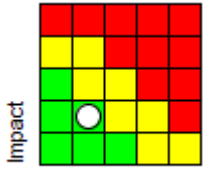
**CRR 07 Health and Safety**


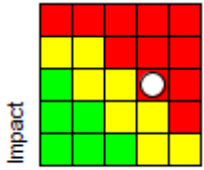
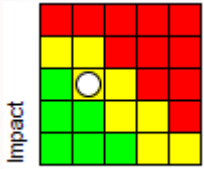
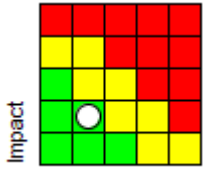
Risk Code	Risk Title	Description		Status	
CRR 07	Health and Safety	Failure to ensure appropriate systems are in place to manage Health and safety			
<b>Consequences</b>		Failure to meet legislative requirements, prosecution and financial penalties incurred as a result of incident.			
<b>Original Matrix</b>		<b>Original Rating Description</b>			
		<b>Original Impact</b>	C	<b>Original Likelihood</b>	3
			Medium		Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>			
		<b>Current Impact</b>	C	<b>Current Likelihood</b>	3
			Medium		Likely
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>			
		<b>Target Impact</b>	B	<b>Target Likelihood</b>	2
			Minor		Not Likely
<b>Latest Progress</b>				<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Member and Officer training undertaken H and S policy framework in place Ownership across the organisation, roles and responsibilities clarified at all management levels.				24 Sep 2010	Phil Long



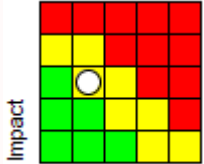
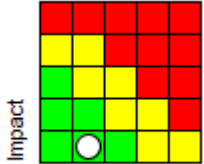
CRR 08 Business Continuity Planning			
Risk Code	Risk Title	Description	Status
CRR 08	Business Continuity Planning	Failure to produce effective, comprehensive and tested plan.	
<b>Consequences</b>		Failure in continuity of service delivery. Negative impact on the most vulnerable on our communities. Damage to RDC reputation. Financial penalties and litigation	
<b>Original Matrix</b>		<b>Original Rating Description</b>	
 <p>Impact</p> <p>Likelihood</p>	<b>Original Impact</b>	C	3
		Medium	<b>Original Likelihood</b>
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>	
 <p>Impact</p> <p>Likelihood</p>	<b>Current Impact</b>	C	3
		Medium	<b>Current Likelihood</b>
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>	
 <p>Impact</p> <p>Likelihood</p>	<b>Target Impact</b>	B	2
		Minor	<b>Target Likelihood</b>
<b>Latest Progress</b>			<b>Last Review Date</b>
27 September 2010 The Council is advancing the issue with the assistance of the North Yorkshire County Council. Details of the Council's current plans and procedures have been forwarded to NYCC and feedback is expected in officer meetings over the forthcoming months.			24 Sep 2010
			<b>SMT Lead</b>
			Paul Cresswell


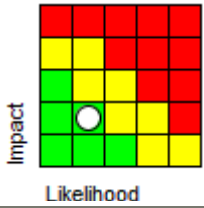
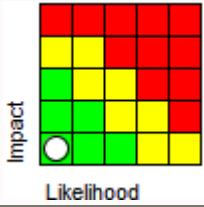
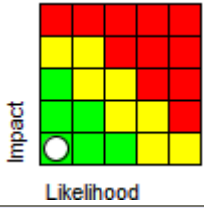



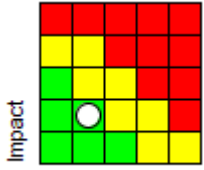


CRR 09 Governance Arrangements			
Risk Code	Risk Title	Description	Status
CRR 09	Governance Arrangements		
<b>Consequences</b>			
<b>Original Matrix</b>		<b>Original Rating Description</b>	
	<b>Original Impact</b>	C	2
		Medium	<b>Original Likelihood</b>
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>	
	<b>Current Impact</b>	C	2
		Medium	<b>Current Likelihood</b>
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>	
	<b>Target Impact</b>	C	1
		Medium	<b>Target Likelihood</b>
<b>Latest Progress</b>			<b>Last Review Date</b>
The Council was working towards a score of three (Good) Corporate Governance through the Use of Resources Assessment however with the abolition of CAA, we await the auditors judgement on the councils corporate governance.			<b>SMT Lead</b>
			24 Sep 2010
			Anthony Winship


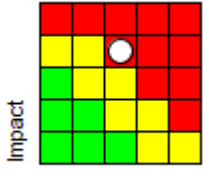


CRR 10 Major Incident risk Flooding				
Risk Code	Risk Title	Description	Status	
CRR 10	Major Incident risk Flooding	Ensure the Council is prepared to deal with a major flooding incident to meet its obligation for Emergency Planning.		
<b>Consequences</b>		Impact on local communities and service continuity.		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
 <p style="text-align: center;">Likelihood</p>	<b>Original Impact</b>	C	<b>Original Likelihood</b>	
		Medium		2
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
 <p style="text-align: center;">Likelihood</p>	<b>Current Impact</b>	C	<b>Current Likelihood</b>	
		Medium		1
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
 <p style="text-align: center;">Likelihood</p>	<b>Target Impact</b>	B	<b>Target Likelihood</b>	
		Minor		2
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Major incident plan in place, with training planned for November for all relevant officers			24 Sep 2010	Phil Long

CRR 11 Council Assets				
Risk Code	Risk Title	Description	Status	
CRR 11	Council Assets	Ensure the Council has proper plan to ensure maintenance and fitness for purpose of the Council assets		
<b>Consequences</b>				
<b>Original Matrix</b>		<b>Original Rating Description</b>		
 <p style="text-align: center;">Likelihood</p>	<b>Original Impact</b>	C	<b>Original Likelihood</b>	
		Medium		4 Very Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
 <p style="text-align: center;">Likelihood</p>	<b>Current Impact</b>	C	<b>Current Likelihood</b>	
		Medium		2 Not Likely
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
 <p style="text-align: center;">Likelihood</p>	<b>Target Impact</b>	B	<b>Target Likelihood</b>	
		Minor		2 Not Likely
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Major investment made resulting in improved facilities at Ryedale House, and energy efficiency at Council offices and sports facilities.			24 Sep 2010	Phil Long

CRR 12 Customer Expectations				
Risk Code	Risk Title	Description	Status	
CRR 12	Customer Expectations	Failure to meet customer service standards meet customer expectations.		
<b>Consequences</b>		Include CR02		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
		Original Impact	C	2
			Medium	Original Likelihood
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
		Current Impact	C	2
			Medium	Current Likelihood
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
		Target Impact	A	2
			Low	Target Likelihood
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Managing customer expectations through media and communications, including budget consultation, in relation to funding challenges facing the public sector.			28 Sep 2009	Paul Cresswell

CRR 13 Fraud and Corruption				
Risk Code	Risk Title	Description		Status
CRR 13	Fraud and Corruption	Failure to ensure Council has proper procedures and policies for the prevention and detection of fraud.		
<b>Consequences</b>		Financial loss to the Council, damage to our reputation and credibility		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
		<b>Original Impact</b>	B	<b>Original Likelihood</b>
			Minor	2
				Not Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
		<b>Current Impact</b>	A	<b>Current Likelihood</b>
			Low	1
				Very Low
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
		<b>Target Impact</b>	A	<b>Target Likelihood</b>
			Low	1
				Very Low
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Partnership arrangement with Veritau to deliver fraud and corruption service working well.			24 Sep 2010	Paul Cresswell

CRR 14 Data Quality				
Risk Code	Risk Title	Description	Status	
CRR 14	Data Quality	The Council recognises the importance of data quality as we need reliable, accurate and timely performance information with which to manage services, inform users and account for our performance		
<b>Consequences</b>				
<b>Original Matrix</b>		<b>Original Rating Description</b>		
	<b>Original Impact</b>	B	<b>Original Likelihood</b>	2
		Minor		Not Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
	<b>Current Impact</b>	B	<b>Current Likelihood</b>	2
		Minor		Not Likely
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
	<b>Target Impact</b>	A	<b>Target Likelihood</b>	1
		Low		Very Low
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 Data Quality Strategy in place and publicised to all staff. Data Quality procedures followed for year end production of performance indicators. Audit Partnership currently undertaking a Data Quality audit, the results of which will be available shortly			28 Sep 2009	Clare Slater

CRR 15 Delivering Efficiencies				
Risk Code	Risk Title	Description	Status	
CRR 15	Delivering Efficiencies	Council fails to meet efficiency targets which necessitates cuts to other services		
<b>Consequences</b>		Cuts to frontline services, reputational damage to the Council, possible poor outcome of external inspection.		
<b>Original Matrix</b>		<b>Original Rating Description</b>		
	<b>Original Impact</b>	D	<b>Original Likelihood</b>	3
		Major		Likely
<b>Current Risk Matrix</b>		<b>Current Rating Description</b>		
	<b>Current Impact</b>	C	<b>Current Likelihood</b>	2
		Medium		Not Likely
<b>Target Risk Matrix</b>		<b>Target Rating Description</b>		
	<b>Target Impact</b>	B	<b>Target Likelihood</b>	2
		Minor		Not Likely
<b>Latest Progress</b>			<b>Last Review Date</b>	<b>SMT Lead</b>
24 Sep 2010 On target to achieve savings as defined in the Council's Financial Strategy. Progress is monitored regularly through Resources Working Party using EMIS reporting.			24 Sep 2010	Paul Cresswell

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<b>REPORT TO:</b>	<b>OVERVIEW AND SCRUTINY COMMITTEE</b>
<b>DATE:</b>	<b>7 OCTOBER 2010</b>
<b>REPORT OF THE:</b>	<b>CORPORATE DIRECTOR (s151) PAUL CRESSWELL</b>
<b>TITLE OF REPORT:</b>	<b>ANNUAL GOVERNANCE STATEMENT ACTION PLAN</b>
<b>WARDS AFFECTED:</b>	<b>ALL</b>

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 This is a report to committee to inform members on progress with the actions identified in the 2009-10 AGS action plan.

### **2.0 RECOMMENDATION**

2.1 It is recommended that the progress with identified actions in the 2009-10 AGS action plan be noted.

### **3.0 REASON FOR RECOMMENDATION**

3.1 Monitoring progress with identified actions in the AGS is good practice, and it demonstrates to the Audit Commission that the Audit Committee is properly exercising its role.

### **4.0 SIGNIFICANT RISKS**

4.1 There are no significant risks.

## **REPORT**

### **5.0 BACKGROUND AND INTRODUCTION**

5.1 Regulation 4 of the Accounts and Audit (Amendment) (England) Regulations 2006 requires audited bodies to conduct a review at least once a year on the effectiveness of its system of internal control and publish an Annual Governance Statement (AGS) each year with the Statement of Accounts.

5.2 The document has then to be signed by the Chief Executive and the Leader (or equivalent) of the Council. This emphasises that the document is about all corporate controls and is not confined to financial issues.

5.3 The Council has adopted the CIPFA framework for producing the AGS. Part of this

framework is for the Council's Audit Committee to consider the content of the AGS including any action plans to address identified 'significant' internal control issues.

5.4 It is for Members to review the progress of implementation of the actions identified in the Action Plan of the 2009/10 Annual Governance Statement (AGS).

5.5 This is not required under The Accounts & Audit (Amendment) (England) Regulations 2006; however it is good practice for the Committee to monitor progress of the actions as part of their Governance responsibilities.

## **6.0 POLICY CONTEXT**

6.1 There is no impact upon specific policies, although as the AGS is an important corporate document demonstrating the Council's commitment to an open and transparent philosophy in all its activities.

## **7.0 CONSULTATION**

7.1 No external consultation has been carried, as this is an internal report covering the progress with actions identified in the AGS.

## **8.0 REPORT DETAILS**

8.1 The purpose of the AGS is to provide a continuous review of the effectiveness of the organisation's internal control and risk management systems so as to give assurance on their effectiveness.

8.2 The AGS should not be seen as a task at a particular point in time. Therefore, for the process to add value to the Council, assurances on the effectiveness of controls over key risks should be obtained throughout the year. This allows remedial action to take place at the earliest opportunity, thereby improving the internal control framework.

8.3 There is also a need to identify and resolve weaknesses by the production of an action plan. This report presents a review of the implementation of actions proposed in the Action Plan associated with the 2009/10 AGS.

8.4 The Action Plan detailed in annex A, sets out the current position with comments on the actions proposed in the plan.

8.5 The AGS for 2010/11 will be reported to the committee in June will complete the reviews of this action plan as they will be incorporated into the action plan for the 2010/11 AGS.

## **9.0 IMPLICATIONS**

9.1 The following implications have been identified:

a) Financial  
None

b) Legal  
None

c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
None

## 10.0 NEXT STEPS

- 10.1 The AGS Action Plan is a document that should be reviewed periodically during the year. A further review will be undertaken by this Committee at its February 2011 meeting.

### **Paul Cresswell** **Corporate Director (s151)**

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**Background Papers:**  
None

**Background Papers are available for inspection at:**  
N/a

**ANNUAL GOVERNANCE STATEMENT 2008/09**  
**ACTION PLAN for implementation in 2009/10**

STATUS	CONTROL ISSUE	ACTION PROPOSED	RESPONSIBILITY	TARGET DATE	CURRENT POSITION & COMMENTS
<p>Brought Forward From 2007/2008 Action Plan</p> <p>Page 66</p>	<p><u>Asset Management</u>  The Audit Commission KIoE for UoR Action Plan 2008 notes that the Council' approach to Asset Management did not reach level 3 assessment. (Level 3 requires that the council maintains an effective asset register.).</p>	<p>That the software bought to assist with asset management be installed and commissioned as a priority.</p>	<p>Corporate Director (s151)  [Head of Resources]</p>	<p>Fully functional by 31/12/09</p>	<p>Progress is being made towards populating the estates management system.  <b>Oct 2009</b> ~ the locally designed spreadsheet to manage assets is said to be operational.  The estates management software (a module of Uniform) has not been populated, and the date for that to be complete is suggested to be 30/6/2010.  <b>Feb 2010</b> ~ work continues to achieve this target date.  <b>June 2010</b> ~Due to extreme difficulties populating Uniform this format has not been used to store property management information. A bespoke spreadsheet has been developed internally in liaison with Internal Audit and information is currently being installed. The completion date has been put back to 30 September.  <b>October 2010</b> ~ completed. The active Asset Register was finalised in conjunction with</p>

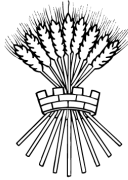
STATUS	CONTROL ISSUE	ACTION PROPOSED	RESPONSIBILITY	TARGET DATE	CURRENT POSITION & COMMENTS
					Finance for this years audit and a report was submitted for use by the auditors. Follow up internal audit review planned for later in year.
Brought Forward From 2008/09	The role and responsibilities of member champions are not established within the Council	Review to be undertaken setting out necessary information for member champions and officer leads.	Head of Transformation	To be completed by 30/9/2009	<p><b>Oct 2009</b> ~ Generic Job Descriptions in place. Following review by Heads of Service, the role of each member champion is being developed. These expect to be finalised by March 2010.</p> <p><b>Feb 2010</b> ~ work continues to achieve this target date.</p> <p><b>June 2010</b> ~ All lead officers now liaising regularly with their respective member champions as appropriate to the area being championed. New member champions appointed at full Council in May 2010. Job Description and list of Lead Officers to be circulated to all member champions. Lead officers making contact with their champions directly.</p> <p><b>Oct 2010</b> ~ Officer leads and member champion working constructively together and developing their roles in line with the requirements of the Member champion JD contained in the Councils constitution. Member champions continuing to add</p>

STATUS	CONTROL ISSUE	ACTION PROPOSED	RESPONSIBILITY	TARGET DATE	CURRENT POSITION & COMMENTS
					value to the work of the Council. Action completed.
Brought Forward From 2008/09	Corporate Business Continuity Plan (BCP) requires testing for resilience and further training may be required.	Use consultancy days from our insurers and specialist to ensure the plan is fit for purpose and appropriate staff have currency of knowledge.	Corporate Director (s151)	To be completed by 31/12/2009	<b>Feb 2010</b> ~ Obtaining advice and assistance from NYCC to finalise and test BCP. <b>June 2010</b> ~ NYCC supplied with Council current situation awaiting feedback. <b>Oct 2010</b> ~ Meeting with NYCC scheduled for 29/9/10
New 2009/2010	Risk of compromise and weaknesses in operational systems as a consequence of reduced staffing over forthcoming years through downsizing as Government funding cuts made.	<ul style="list-style-type: none"> <li>Where changes in staffing occur, that changes in operating arrangements are reviewed prior to reducing the controls.</li> <li>Internal audit are included in working groups reviewing operating systems and arrangements, including commissioning, partnership arrangements etc.</li> </ul>	Corporate Director (s151)	Continuing	<b>Oct 2010</b> ~ Staffing reviews and service reviews considering control environment and impact of individuals leaving the Authority. Further staffing reductions expected over future years, continuing risk based audit review of services ongoing.
New 2009/2010	There are significant changes to IT systems supporting services planned over the forthcoming year and beyond. There is the risk that system controls will be compromised during this period.	<ul style="list-style-type: none"> <li>All projects are run using established project management methodology.</li> <li>Internal audit will be involved in working groups as appropriate.</li> <li>System specifications ensure appropriate controls.</li> </ul>	Corporate Director (s151) as Chair of ICT Programme Board.	Continuing	<b>Oct 2010</b> ~ ICT Board continues to monitor and evaluate all proposals for new and upgraded systems with a review of interdependencies and workloads. Control environment subject to audit and assistance from external auditors sought where applicable.



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**REPORT TO:** CRIME & DISORDER (O&S) COMMITTEE

**DATE:** 7 OCTOBER 2010

**REPORT OF THE:** HEAD OF TRANSFORMATION  
CLARE SLATER

**TITLE OF REPORT:** FUTURE ARRANGEMENTS FOR THE CRIME AND  
DISORDER (O&S) COMMITTEE

**WARDS AFFECTED:** ALL

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## **EXECUTIVE SUMMARY**

### **1.0 PURPOSE OF REPORT**

1.1 To present members of the committee with options for the future operation of the Crime and Disorder Committee

### **2.0 RECOMMENDATION**

2.1 That members of the committee:

- (i) Agree their preferred option for involving the Police Authority in the work of the Crime and Disorder Committee; and
- (ii) Agree the reporting format and a schedule for performance information relating to Crime and Disorder.

### **3.0 REASON FOR RECOMMENDATION**

3.1 The Crime and Disorder (Overview and Scrutiny) Regulations 2009 are attached at annex A. These cover the following areas:

- co- option
- frequency
- information
- attendance
- reports and recommendations

This committee has decided how it wishes to operate to meet most of these requirements however there are two outstanding items to be resolved in relation to co-option of members from responsible authorities, and the format and frequency of the information it wishes to receive. The recommendations made in relation to these two issues will enable the committee to fulfill the requirements placed upon the Council by these regulations.

### **4.0 SIGNIFICANT RISKS**

4.1 There is a risk that the Council could fail to meet its duties in relation to the overview and scrutiny of Crime and Disorder matters in Ryedale, this risk can be mitigated by fulfilling the requirements laid down in the regulations. The minimum action required

to meet these requirements is that the Crime and Disorder Committee meets at least annually to discuss matters relating to the performance of the Crime and Disorder Partnership.

## **REPORT**

### **5.0 BACKGROUND AND INTRODUCTION**

5.1 Councils were given new powers in relation to the Overview and Scrutiny of Crime and Disorder by sections 19 and 20 of the Police and Justice Act 2006 ('the Act') – as amended by section 126 of the Local Government and Public Involvement in Health Act 2007. There have also been regulations passed under section 20 of the Police and Justice Act. These provisions provide local authorities with a framework for the development of an ongoing relationship between Crime and Disorder Reduction Partnerships (CDRP's) and scrutiny bodies.

5.2 The powers this scrutiny committee has in relation to Crime and Disorder are:

- to scrutinise how the partnership members are discharging their crime and disorder functions;
- to require information to be provided by partners, and require attendance at meetings;
- to require partners (responsible authorities and the co-operating partners) to respond to reports within 28 days, and 'have regard' to recommendations.

These new powers have been integrated into the Councils' existing arrangements for overview and scrutiny.

5.3 In order to identify and deliver on the priorities that matter the most to local communities, CDRPs are required to carry out a number of main tasks. These include:

- preparing an annual strategic assessment (The Joint Strategic Intelligence Assessment). This is a document identifying the crime and community safety priorities in the area, through analysis of information provided by partner agencies and the community.
- producing a partnership plan (the Safer Ryedale Partnership Plan), laying out the approach for addressing those priorities;
- undertaking community consultation and engagement on crime and disorder issues; and
- Sharing information among the responsible authorities within the CDRP (Safer Ryedale Partnership).

### **6.0 POLICY CONTEXT**

6.1 The Crime and Disorder (Overview and Scrutiny) Regulations 2009 are attached at annex A.

### **7.0 CONSULTATION**

7.1 The Safer Ryedale Partnership Plan is developed following a programme of community engagement. As a result the plan reflects the community's priorities for the work of the Safer Ryedale Partnership.

### **8.0 REPORT DETAILS**

8.1 The North Yorkshire Police Authority has recommended to all the District Councils in North Yorkshire that each Council should co-opt a member of the Police Authority onto the committee to act in the role as expert advisor on any matters relating to the performance of the police. This request is in line with in line with the

recommendations made in the statutory guidance, the relevant extracts are included at annex B

8.2 Members have been asked to decide on their preferred option for involving the Police Authority. By implication this would become the preferred approach to involving any other of the responsible authorities or co-operating bodies, in the work of the Crime and Disorder (Overview and Scrutiny) Committee.

8.3 The responsible authorities in relation to Crime and Disorder are

- The council
- The police force
- The police authority
- The fire and rescue authority
- The primary care trust

The responsible authorities have a duty to work in co-operation with the cooperating bodies who are:

- parish councils
- NHS Trusts
- NHS Foundation Trusts
- proprietors of independent schools and governing bodies of an institution within the further education sector.
- Probation authorities (may soon become a responsible authority)

8.4 The scrutiny committee dealing with crime and disorder issues can choose to co-opt additional people to become part of the committee. These could be long-term co-options, or for the purpose of a specific review. The Crime and Disorder (Overview and Scrutiny) Regulations 2009 allow the designated committee to co-opt people and to give them voting rights. There should not be a greater number of these co-optees than the number of councillors voted onto the committee by the council.

8.4 The LGA guidance on effective scrutiny of Crime and Disorder states:

‘The Association of Police Authorities has urged councils to consider co-option of a member of the police authority onto the scrutiny committee. Openness, dialogue, and clarity of function with the police authority are vital, but bear in mind there are other ways in which these could be achieved, not only co-option. Different voices can be heard in scrutiny as expert advisors, observers, through planned consultation and public meetings of various kinds, visits, and inviting witnesses to scrutiny hearings.’

Source: LGA publication, Crime watch - effective scrutiny of police and crime October 2009

8.5 **Options:**

The requirement to co-opt a member of the Police Authority onto the Ryedale Crime and Disorder Committee was discussed at the previous meeting of this committee. The three options recommended in the statutory guidance are:

1. One member of the Crime and Disorder Committee should be a member of the Police Authority - An option for counties and unitary councils only.
2. Appoint as a non-voting expert advisor to attend the committee only when Police or Crime and Disorder matters are being discussed
3. Appoint as above but as a voting member – this would require a change to the Councils constitution.

8.6 **Reporting schedule:**

The Police Authority has offered to prepare and present performance reports for policing in Ryedale. An example of the reports which could be considered are attached at annex C and include:

- **Safer Neighbourhoods Team priorities and progress**, twice a year in

September and April

- **Policing pledge priorities and progress**, twice a year in September and April. Reports attached for illustration of content and format at annex C.

Other reports which could be considered by the Committee on request are as follows:

- **Safer Ryedale Partnership Plan progress** reporting – mid year performance annually in September and annual performance in April
- **Draft Safer Ryedale Partnership Plan** – annually for comments in February.
- **Joint Strategic Intelligence Assessment** – Briefing on findings and how these inform Safer Ryedale Partnership Plan and Neighbourhood Policing Priorities
- **Final Safer Ryedale Partnership Plan**, including priorities and targets, annually in April.

8.7 The reporting organisation should be invited to present each of these reports to the committee and respond to any questions. The reporting organisations would be the Safer Ryedale Partnership for their plan and the police and police authority for the Safer Neighbourhoods Team priorities and progress and Policing Pledge priorities and progress.

## 9.0 IMPLICATIONS

9.1 The following implications have been identified:

- a) Financial  
None identified
- b) Legal  
Meeting the requirement of the regulations
- c) Other (Equalities, Staffing, Planning, Health & Safety, Environmental, Crime & Disorder)  
None at this stage other than those under legal above for community safety

**Clare Slater**  
**Head of Transformation**

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**Background Papers:**  
Statutory guidance

**Background Papers are available for inspection at:**  
Excerpts attached to this report

S T A T U T O R Y   I N S T R U M E N T S  
2009 No. 942  
CRIMINAL LAW, ENGLAND AND WALES

The Crime and Disorder (Overview and Scrutiny)  
Regulations 2009

*Made 6th April 2009*

*Laid before Parliament 8th April 2009*

*Coming into force in accordance with regulation 1(2)*

The Secretary of State makes the following Regulations in exercise of the powers conferred by section 20(3) and (4) of the Police and Justice Act 2006<sup>(1)</sup>.

In accordance with section 20(4) of that Act, the Secretary of State has consulted with the Welsh Ministers<sup>(2)</sup> regarding the provisions in relation to local authorities in Wales.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Crime and Disorder (Overview and Scrutiny) Regulations 2009.

(2) These Regulations shall come into force in respect of local authorities in England on 30th April 2009 and in respect of local authorities in Wales on 1st October 2009.

**Interpretation**

2. In these Regulations—

“2006 Act” means the Police and Justice Act 2006;

“depersonalised information” means information which does not constitute personal data within the meaning of the Data Protection Act 1998<sup>(3)</sup>.

**Co-opting of additional members**

3.—(1) The crime and disorder committee of a local authority may co-opt additional members to serve on the committee subject to paragraphs (2), (3), (4) and (5).

(2) A person co-opted to serve on a crime and disorder committee shall not be entitled to vote on any particular matter, unless the committee so determines.

(3) A co-opted person’s membership may be limited to the exercise of the committee’s powers in relation to a particular matter or type of matter.

(4) A crime and disorder committee shall only co-opt a person to serve on the committee who—

(a) is an employee, officer or member of a responsible authority or of a co-operating person or body; and

(b) is not a member of the executive of the committee’s local authority (or authorities).

(5) The membership of a person co-opted to serve on a crime and disorder committee may be withdrawn at any time by the committee.

### **Frequency of meetings**

4. A crime and disorder committee shall meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions as the committee considers appropriate but no less than once in every twelve month period.

### **Information**

5.—(1) Where a crime and disorder committee makes a request in writing for information, as defined in section 20(6A) of the 2006 Act(4), to the responsible authorities or the co-operating persons or bodies, the authorities, or persons or bodies (as applicable) must provide such information in accordance with paragraphs (2) and (3).

(2) The information referred to in paragraph (1) must be provided no later than the date indicated in the request save that if some or all of the information cannot reasonably be provided on such date, that information must be provided as soon as reasonably possible.

(3) The information referred to in paragraph (1)—

(a) shall be depersonalised information, unless (subject to sub-paragraph (b)) the identification of an individual is necessary or appropriate in order to enable the crime and disorder committee to properly exercise its powers; and

(b) shall not include information that would be reasonably likely to prejudice legal proceedings or current or future operations of the responsible authorities, whether acting together or individually, or of the co-operating persons or bodies.

### **Attendance at committee meetings**

6.—(1) Subject to paragraph (2), a crime and disorder committee may require the attendance before it of an officer or employee of a responsible authority or of a co-operating person or body in order to answer questions.

(2) The crime and disorder committee may not require a person to attend in accordance with paragraph (1) unless reasonable notice of the intended date of attendance has been given to that person.

### **Reports and recommendations**

7. Where a crime and disorder committee makes a report or recommendations to a responsible authority or to a co-operating person or body in accordance with section 19(8)(b) of the 2006 Act, the responses to such report or recommendations of each relevant authority, body or person shall be—

(a) in writing; and

(b) submitted to the crime and disorder committee within a period of 28 days from the date of the report or recommendations or, if this is not reasonably possible, as soon as reasonably possible thereafter.

*Vernon Coaker*

Minister of State

Home Office

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations are made under section 20(3) (in respect of local authorities in England) and 20(4) (in respect of local authorities in Wales) of the Police and Justice Act 2006. The Regulations supplement the provisions in section 19 of that Act by making provision for the exercise of powers by crime and disorder committees of local authorities.

Regulation 3 provides that crime and disorder committees may co-opt additional members from those persons and bodies who are responsible authorities within the meaning of section 5 of the Crime and Disorder Act 1998, and from those persons and bodies with whom the responsible authorities have a duty to co-operate under section 5(2) of that Act (the “co-operating persons and bodies”) subject to the provisions set out in that regulation.

Regulation 4 provides that a crime and disorder committee shall meet to review or scrutinise decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions, no less than once in every twelve month period.

Regulation 5 provides that responsible authorities or co-operating persons or bodies must provide such information as is requested of them by the crime and disorder committee, subject to the provisions in that regulation.

Regulation 6 provides that a crime and disorder committee may require the attendance before it of a representative of a responsible authority or of a co-operating person or body in order to answer questions, subject to the provisions in that regulation.

Regulation 7 provides that where a crime and disorder committee makes a report or recommendations to responsible authorities or co-operating persons or bodies in accordance with section 19(8)(b) of the Police and Justice Act 2006, the responses to such report or recommendations of each relevant authority, body or person shall be in writing and within 28 days of the date of the report or recommendations or, if this is not reasonably possible, as soon as reasonably possible thereafter.

(1)

[2006, c. 48](#). Section 20 has been amended by section 121 and has been prospectively amended by sections 126 and 241, and part 6 of Schedule 18 to the Local Government and Public Involvement in Health Act [2007 \(c. 28\)](#).

(2)

The functions of the National Assembly for Wales were transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act [2006 \(c.32\)](#).

(3)

[2008 c.29](#).

(4)

Section 20(6A) was inserted by section 121(2) of the Local Government and Public Involvement in Health Act [2007 \(c. 28\)](#).

## Section 3.4

### Co-option

The regulations allow crime and disorder committees to co-opt additional members to serve on the committee. These co-optees can be specialists in particular areas and can bring great value and expertise to the committee's work. Members can be co-opted in accordance with the Regulations, which allow a committee to co-opt additional persons provided that they are an employee, officer or member of a responsible authority or of a co-operating person or body and are not a member of the executive of the local authority.

The committee can decide whether they should have the right to vote. However, the decision to allow them to vote should be taken in accordance with any scheme in place under Schedule 1 to the Local Government Act 2000. Membership can be limited to membership in respect of certain issues only. The council should take care to clarify the role of such a co-optee, who may be expected, as part of the committee, to hold his or her own organisation to account.

There is also a general power to include additional non voting members under section 21(10) LGA and paragraph 5 of Schedule 8 to the Police Justice Act.

#### Co-option and Schedule 1 to the Local Government Act 2000

Under Schedule 1 of the Local Government Act 2000, councils can put in place a formal scheme (similar to the council's scheme of delegations) to allow a co-opted member to have full voting rights. If you already have a scheme, your co-option plans for community safety must comply with it. Local authorities may prefer ask people [to contribute informally to small task and finish groups or to participate as non-voting members, rather than as full voting members of committees, to ensure that co-optees' work and contribution is focused on areas where they can add most value. So the council and its partners may agree that, although co-option to a committee might be appropriate, the co-optee should not have voting rights.

#### Co-option and police authorities

Police authorities occupy a unique position within the landscape of community safety partnerships. They have a clear, statutory role to hold to account the police. In this context, it is vital that local authorities' community safety scrutiny compliments this role. Local authorities should, in all instances, presume that the police authority should play an active part at committee when community safety matters are being discussed – and particularly when the police are to be present.

Local authorities should take the following steps to involve police authorities in work undertaken by their committees.

##### *Option 1*

One member of the crime and disorder committee should be a member of the police authority. We envisage this being the approach that will be adopted by most (but not necessarily all) counties and unitaries. However, there are a number of circumstances where this will not be possible. In many authorities (unitaries, counties and districts alike) there may be no member appropriate to sit on the committee in this capacity. The principal reasons would be:

- If the relevant local authority representative on the police authority is a member of the executive; or
- If the local authority has no direct member representation on the police authority. There are many areas for which this will be the case, given that most police authorities cover large areas but only have 9 local councillor members.

##### *Option 2*



The second option is for all other circumstances – covering most districts, and those counties and unitaries where having a police authority member on the committee will not be possible. In these circumstances, a member of the police authority should be issued with a standing invitation to attend the committee as an “expert adviser”. Ideally this would be a police authority member, but subject to local agreement there may be some circumstances, and meetings, where a police authority officer would be more appropriate. For example, care will need to be taken when inviting police authority members to attend when they are also councillors.

Such an advisor would not be a formal member of the committee, but would be able to participate in committee discussion as an expert witness. Steps should also be taken to ensure that, where appropriate, the police authority have a direct input into the delivery of task and finish reviews that involve the police. The level of involvement in such work that is appropriate can be decided between the police authority and the local authority, the authorities delivering the work.

Agreement over these issues should – as we suggested at the beginning of this section – form part of a protocol between the local authority and its partners. This will allow for local differences, and for agreement over further methods of engagement and involvement – the sharing of work programmes and delivery of joint work pertaining to the police, for example.

The vital thing to remember is that clear and sustained engagement between the police authority and the local authority, as equals, will be necessary to make sure that their roles complement each other. This goes beyond attendance at committee, which should be treated as only one element of this engagement.

These arrangements, and the unique relationship which is necessary between councils and police authorities, should not divert scrutiny bodies or their partners from the fact that the scrutiny of community safety is about much more than the police force and their activities, as we made clear in earlier sections.

#### *Option 3*

The third option would be for committees to consider co-opting a police authority member onto the committee when policing matters are being considered, and it would be for the police authority to decide the most appropriate member to appoint – this can be an independent or councillor member. This would provide a more direct link between the police authority and overview and scrutiny committee and would be particularly relevant if the committee is considering matters directly relevant to policing.

## North Yorkshire Police Force Policing Pledge and Ryedale District Performance Report / Crime Statistics – July 2010

The Policing Pledge sets ten areas of service standards including service fields such as answering calls promptly to how local people can have a say over how their neighbourhood is policed. It is envisaged this will improve community confidence and community engagement in local service delivery

The following is a summary comparison of North Yorkshire Police Force Policing Pledge and Ryedale District Performance for July 2010. The report only compares those areas where there is a direct comparison for the Force and Ryedale District.

**NB.** No comparison information is available for pledges 4, 7 and 10

<b>Pledge 1: Always treat you fairly with dignity and respect ensuring you have fair access to our services at a time that is reasonable and suitable for you</b>					<b>Ryedale</b>	<b>Green</b>
					<b>Force</b>	<b>Amber</b>
<b>Indicator</b>		<b>Jul-10</b>	<b>Jul-09</b>	<b>Change</b>	<b>Comparison to 2009/10 Average</b>	<b>Comment</b>
The % of victims who were satisfied with how easy it was to contact someone who could assist them?	R	88.5	88.4	-0.1%	90%	Decrease
	F	92.6	93.1	-0.5	93%	Decrease
The % of victims who were satisfied with the way they were treated by the police officers and staff that dealt with them	R	92.7 %	88.6%	+4.1 %	90%	Increase
	F	93.7	92.9	-0.8	93%	Increase

**Overall Comment: Ryedale higher performance than the Force (Green compared to Amber)**

The performance by Ryedale has increased for one indicator when comparing July 2009 to July 2010 with the largest increase in performance being Ryedale regarding the % of victims who were satisfied with the way they were treated by the police officers and staff that dealt with them.

<b>Pledge 2: Provide you with information so you know who your dedicated Safer Neighbourhood Policing Team is, where they are based, how to contact them and how to work with them</b>					<b>Ryedale</b>	<b>Amber</b>
					<b>Force</b>	<b>Amber</b>
<b>Indicator</b>		<b>Jul-10</b>	<b>Jul -09</b>	<b>Change</b>	<b>Comparison to 2009/10 Average</b>	<b>Comment</b>
The % of people who are aware of their Safer Neighbourhood Team	R	41.5%	53.0%	-11.5	47%	Large Decrease
	F	42.8%	55.5%	-12.7	51%	Decrease
The % of people who know how to contact their Safer Neighbourhood Team	R	40.5%	68.0%	-27.5	47%	Large Decrease
	F	42.8%	46.5%	-3.7	43%	Decrease

**Overall Comment: Ryedale same performance as the Force (Both on Amber)**

The performance by Ryedale and the Force has decreased for the first indicator when comparing July 2009 to July 2010 with the largest decrease in performance being for Ryedale regarding the % of people who know how to contact their Safer Neighbourhood Team of -27.5%.

<b>Pledge 3: Ensure your Safer Neighbourhood Team and other police patrols are visible and on your patch at times when they will be most effective and when you tell us you most need them. We will ensure your team are not taken away from neighbourhood business more than is absolutely necessary. They will spend at least 80% of their time visibly working in your neighbourhood, tackling your priorities. Staff turnover will be minimized</b>					<b>Ryedale</b>	Green
					<b>Force</b>	Green
Indicator		Jul -10	Jul -09	Change	Comparison to 2009/10 Average	Comment
% of people who never see a police officer or PCSO patrolling their area.	R	47.4	46.5	+0.9	46%	Increase
	F	44.1	43.6	+0.5%	44%	Increase

**Overall comment: Ryedale same performance as the Force (Both on Green)**

The performance by the force for this indicator is higher than districts implying other areas are within the County and City of York are performing at a lower level.

<b>Pledge 5: Aim to answer 999 calls within 10 seconds deploying to emergencies immediately giving an estimated time of arrival, getting to you safely, and as quickly as possible. In urban areas, we will aim to get to you within [15] minutes and in rural areas within [20] minutes.</b>					<b>Ryedale</b>	Green
					<b>Force</b>	Green
Indicator		Jul - 10	Jul - 09	Change	Comparison to 2009/10 Average	Comment
% of 'Immediate Urban' incidents attended within 15 minutes	R	81%	80.4%	+0.6%	79%	Increase
	F	78.6%	79%	-0.4%	78%	Decrease
% of 'Immediate Rural' incidents attended within 20 minutes	R	73.3%	71.2%	+2.1%	69%	Increase
	F	75.5%	74.3%	1.2%	73%	Increase
Amount of time spent at Call Handling stage taking initial details (minutes)	R	1.3	1.5	-0.2	1	
	F	1.3	1.3	0.0	1	
Amount of time taken at Dispatch stage before a resource is proceeded (minutes)	R	4.0	6.0	-2	5	
	F	4.2	4.3	-0.1	5	

**Overall comment: Ryedale same performance as the Force (Both on Green)**

The performance for Ryedale and the Force had increased generally for all indicators when comparing July 2009 to July 2010.

<b>Pledge 6: Answer all non-emergency calls promptly. If attendance is needed, send a patrol giving you an estimated time of arrival and: If you are vulnerable/upset or calling about an issue that we have agreed with your community will be a neighbourhood priority and attendance is required, we will aim to be with you within 60 mins. Alternatively, if appropriate, we will make an appointment to see you at a time that fits in with your life and within 48 hours. If agreed that attendance is not necessary we will give you advice, answer your questions and / or put you in touch with someone who can help.</b>					<b>Ryedale</b>	Green
					<b>Force</b>	Green
Indicator		Jul 10	Jul 09	Change	Comparison to 2009/10 Average	Comment
% of Incidents attended within 60 minutes (Vulnerable)	R	63.7%	56.7%	+8%	59%	Increase
	F	65.3%	61.0%	+4%	62%	Increase
% of Incidents attended within 60 minutes (Priority)	R	84.3%	60.0%	+24%	75%	Increase
	F	79.0%	76.6%	+2%	79%	Increase

**Overall comment: Ryedale same performance as the Force (Both on Green)**

<b>Pledge 8: Provide monthly updates on progress, and on local crime and policing issues. This will include the provision of crime maps, information on specific crimes and what happened to those brought to justice, details of what action we and our partners are taking to make your neighbourhood safer and information on how your force is performing.</b>					<b>Ryedale</b>	Green
					<b>Force</b>	Green
<b>Indicator</b>		<b>June 10</b>	<b>June 09</b>	<b>Change</b>	<b>Comparison to 2009/10 Average</b>	<b>Comment</b>
% of people who feel well informed about what the police have been doing over the last 12 months	R	65.0%	68.4%	-3%	45%	Decrease
	F	63.3%	44.9%	+18%	44%	Increase
% of people who think that the police keep people informed about what they are doing to tackle local crime and ASB Selby	R	50.0%	50.2%	0%	50%	Decrease
	F	48.8%	48.4%	0%	48%	Decrease

**Overall comment: Ryedale same performance as the Force (Both on Green)**

The performance for the % of people who feel well informed about what the police have been doing over the last 12 months has increased for the Force and Decreased Ryedale when comparing July 2010 with July 2009. Ryedale remains above the force current outturns.

<b>Pledge 9: If you have been a victim of crime agree with you how often you would like to be kept informed of progress in your case and for how long. You have the right to be kept informed at least every month if you wish and for as long as is reasonable.</b>					<b>Ryedale</b>	Green
					<b>Force</b>	Green
<b>Indicator</b>		<b>June 10</b>	<b>June 09</b>	<b>Change</b>	<b>Comparison to 2009/10 Average</b>	<b>Comment</b>
% victims who were provided with progress updates without asking	R	51.4%	59.1%	-8%	58%	Decrease
	F	54.6%	47.8%	-7%	52%	Decrease
The % of victims who were satisfied with how they were kept informed of progress	R	58.0%	55.0%	-4%	59%	Decrease
	F	67.0%	63.0%	-4%	64%	Decrease

**Overall comment: Ryedale lower performance than the Force**

The performance for the % victims who were provided with progress updates without asking has decreased for both the Force and Ryedale when comparing July 2010 with July 2009.

The performance for the % of victims who were satisfied with how they were kept informed of progress when comparing July 2010 with July 2009 has decreased for Ryedale and the Force by 4%

**Crime Rates Ryedale District**

The average number of <b>burglaries</b> in this area has <b>increased from 9.7 to 14.7 (51.7%)</b> (compared to the same three month period last year) . The level of Burglary in this area is <b>above average</b> (compared with the rest of North Yorkshire)				
	June	July	Aug	<b>Average</b>
2009	7	13	9	<b>9.7</b>
2010	14	13	17	<b>14.7</b>
The average number of <b>robberies</b> in this area has <b>increased from 0 to 0.3 (100%)</b> (compared to the same three month period last year). The level of Robbery in this area is <b>average</b> (compared with the rest of North Yorkshire)				
	June	July	Aug	<b>Average</b>
2009	0	0	0	<b>0</b>

2010	1	0	0	<b>0.3</b>
The average number of <b>vehicle crimes</b> in this area has <b>increased from 6 to 7.7 (27.8%)</b> (compared to the same three month period last year). The level of Vehicle crime in this area is <b>average</b> (compared with the rest of North Yorkshire)				
	June	July	Aug	<b>Average</b>
2009	5	4	9	<b>6</b>
2010	4	12	7	<b>7.7</b>
The average number of <b>violent crimes</b> in this area has <b>decreased from 14 to 11.3 (19%)</b> (compared to the same three month period last year). The level of Violence in this area is <b>average</b> (compared with the rest of North Yorkshire)				
	June	July	Aug	<b>Average</b>
2009	13	14	15	<b>14</b>
2010	14	7	13	<b>11.3</b>
The average number of <b>anti-social behaviour</b> incidents in this area has <b>decreased from 89.3 to 72 (19.4%)</b> (compared to the same three month period last year). The level of Anti-social behaviour in this area is <b>average</b> (compared with the rest of North Yorkshire)				
	June	July	Aug	<b>Average</b>
2009	75	80	113	<b>89.3</b>
2010	55	91	70	<b>72</b>

### All Crime – Ryedale District

The average number of crimes in this area has <b>increased from 70 to 76 (8.6%)</b> (compared to the same three month period last year)				
	June	July	Aug	<b>Average</b>
2009	61	72	77	70
2010	60	88	80	76

## Safer Neighbourhood Team Priority Settings

### Recommendations

Members are invited to consider and comment on the priorities, past and present that have been set for this district.

### Summary

This report summarises the North Yorkshire Police, Safer Neighbourhood Teams Priority Settings.

### Background

As part of the Policing Pledge and the national agenda for Safer Neighbourhoods, every quarter the Safer Neighbourhood Teams identify three key policing priorities for an inspector led area, this is done in consultation with the local community.

### Introduction

North Yorkshire Safer Neighbourhood Teams must to target community safety issues that matter most to the public and focus resources to ensure positive community outcomes. Safer Neighbourhood Priority settings identify concerns raised by the residents in the area, enabling local consultation to influence policing when tackling local issues. Issues that are not resolved within the quartile time span are subsequently rolled forward to the next quartile until successfully actioned.

### Safer Neighbourhood Priorities

See attached Table A

### Background Papers

Safer Ryedale Partnership Plan

Table A

Safer Neighbourhood Area	Quarter 1 09/10	Quarter 2 09/10	Quarter 3 09/10	Quarter 4 09/10	Quarter 1 10/11	Quarter 2 10/11	Priority Status
	Priorities	Priorities	Priorities	Priorities	Priorities	Priorities	
Ryedale	1. Rowdy inconsiderate behaviour in Scotts Hill and Blazely Lane, Norton	1. Youth-related ASB - school children travelling on school transport	1. ASB by school children on buses in the Malton & Norton areas	1. ASB by school children on buses in the Malton & Norton areas	1. ASB and crime in St Peters St, Norton	1. ASB and crime in St Peters St, Norton	Priority rolled over once In place over 6 months
	2. Criminal Damage - graffiti caused by youths with spray paint cans to wooden fences and vehicles in Malton Town	2. Anti-social vehicle use by youths in Wentworth Street Car Park	2. Anti-social vehicle use in and around Wentworth Sreet car park in Malton	2. Anti-social vehicle use in and around Wentworth Sreet car park in Malton	2. Anti-social vehicle use in and around Wentworth Sreet car park in Malton	2. Anti-social vehicle use in and around Wentworth Sreet car park in Malton	Priority rolled over five times In place one year and three month
	3. Rowdy inconsiderate behaviour in Market Court, Eastgate Sq and Eastgate car park, Pickering	3. Youth and alcohol related rowdy inconsiderate behaviour in Market Court, Eastgate Sq and Eastgate car park, Pickering	3. ASB & crime in Eastgate car park, Market Court and Eastgate Sq , Pickering	3. ASB & crime in Eastgate car park, Market Court and Eastgate Sq , Pickering	3. Anti Social Behaviour linked to under age consumption of alcohol in Pickering	3. Anti Social Behaviour linked to under age consumption of alcohol in Pickering	Priority rolled over once In place over 6 months

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**Ryedale District Council – Decisions taken by the Commissioning Board on Thursday, 23 September 2010**

Agenda Item No	Topic	Decision
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**Part A – Items considered in public**

1	Apologies for Absence	Councillor Mrs Keal
2	Minutes of Meeting held on 3 June 2010	Minutes agreed with an amendment made at minute 8 to include Councillor Mrs Cowan on both the Economy and Housing and Active and Environment Joint Commissioning Groups.
3	Minutes of the Joint Commissioning Group Active & Environment Meeting held on 22 July 2010	Minutes noted with the amendment as tabled at the meeting.
4	Minutes of the Joint Commissioning Group Housing & Economy Meeting held on 15 July 2010	Minutes noted with the addition of 'Vice' in to the resolved section of minute 3.
5	Declarations of Interest	Councillor Mrs Cowling declared an interest in Items 12 and 13. Councillor Mrs Cown declared an interest in Item 16. Councillor Mrs Arnold declared an interest in Item 9.
6	Urgent Business	One item of urgent business was agreed.
7	Local Enterprise Partnerships: A Presentation by Julian Rudd and Jos Holmes	A powerpoint presentation was shown. Members noted the content.
8	Tourism - Feedback from the Economy & Housing Joint Commissioning Group	Recommendation agreed.
9	Leisure - Verbal Update from the Active & Environment Joint Commissioning Group	Members noted the update.

**Ryedale District Council – Decisions taken by the Commissioning Board on Thursday, 23 September 2010**

Agenda Item No	Topic	Decision
10	Sub Regional Homelessness Strategy and Review of Ryedale's Action Plan 2010	Recommendations agreed.
11	Health and Safety Plan 2010/11	Recommendation 1 and 2 agreed. No Member Champion was agreed, Members requested additional information about the role.
12	Food Safety Plan 2010/11	Recommendations agreed.
13	Annual Report Achievement Against Priorities	Recommendation agreed.
14	Exempt Information	Moved.
15	Commercial Waste Review	Recommendations agreed.
16	Any other business that the Chairman decides is urgent	Councillor Hawkins was assigned to the Active and Environment Joint Commissioning Group.
17	Dates of Next Meetings	30 September 2010 – Active and Environment working group 14 October 2010 – Economy and Skills 25 November 2010 – Full Board  <b>Date of Publication - 29 September 2010</b> <b>Implementation Date for Decision - 13 October 2010</b>